



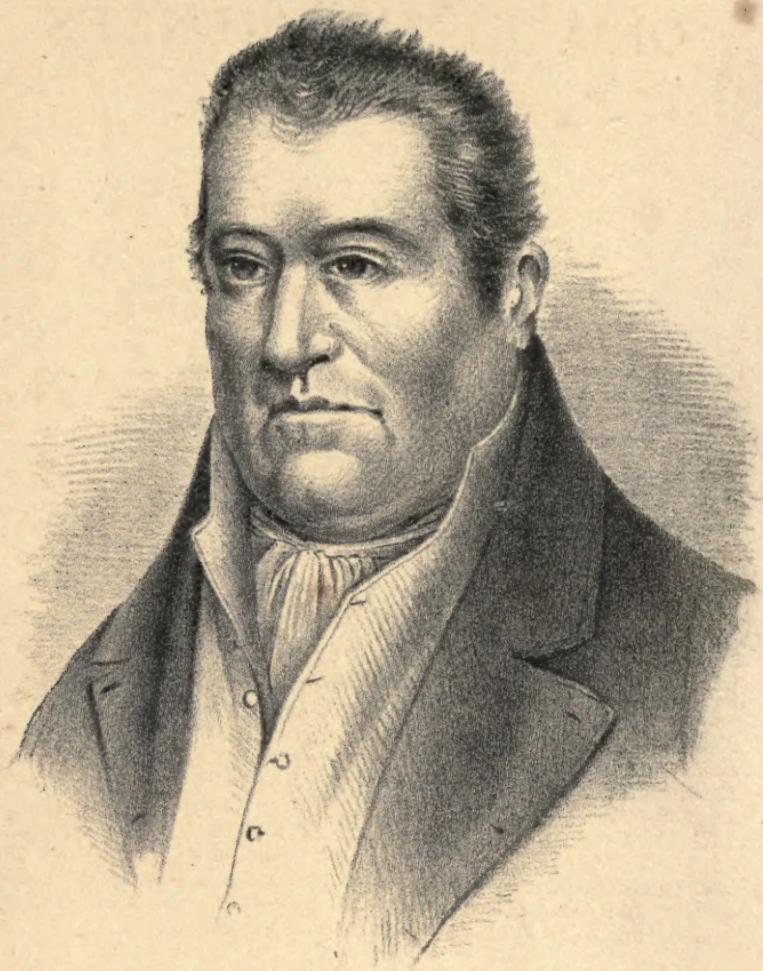


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*Yours faithfully*

*Samuel Munn*

From a painting in the possession of  
JAMES PAGAN ESQR, OF THE HERALD.

OLD REMINISCENCES  
OF  
GLASGOW  
AND THE  
WEST OF SCOTLAND.

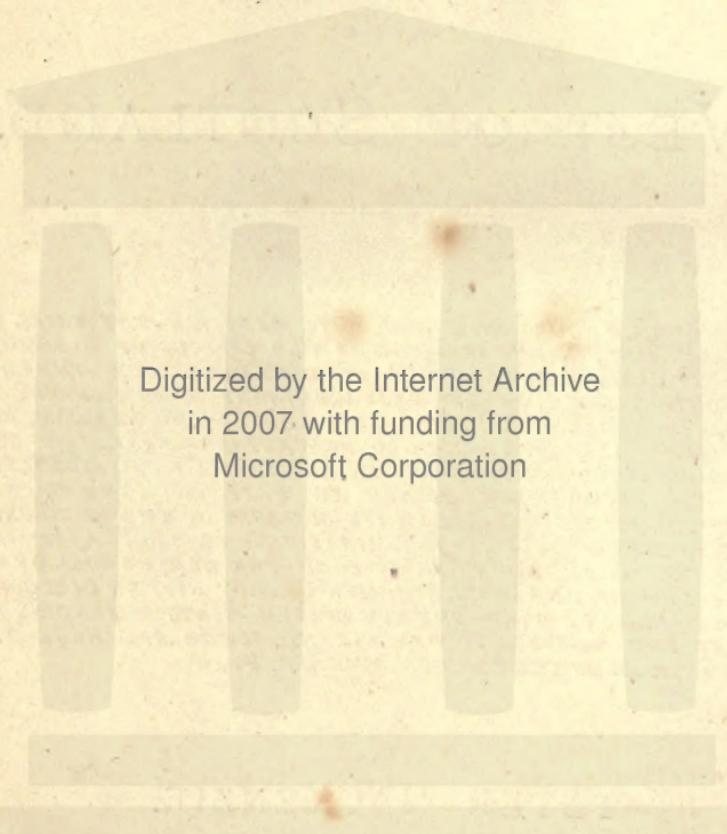
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CONTAINING  
*THE TRIAL OF THOMAS MUIR—THE BUTE ELECTION—THE TRIAL OF WILSON, HARDIE AND BAIRD—THE OLD GUARDS OF GLASGOW—ROBERT CARRICK AND THE OLD SHIP BANK OF GLASGOW—THE LAST EXECUTION FOR FORGERY—EXTRAORDINARY BANK ROBBERY IN GLASGOW—TRIAL OF THE REV. NEIL DOUGLAS, OF GLASGOW, FOR SEDITION—THE TWA FUDDLED PRECENTORS—FRAUD ON THE GLASGOW UNDERWRITERS—AFFECTING STORY OF COL. HAMILTON OF THE SCOTS GREYS, KILLED AT WATERLOO—THE CALDER FARMER AND HIS HECKLING WIFE—ROBBERY OF THE EDINBURGH EXCISE OFFICE—FIRST GAS ILLUMINATION IN GLASGOW—A STRANGE ELECTION ON THE TOP OF BENLOMOND—THE REFORM BILL OF 1830—HENRY BELL AND FIRST STEAMER—BLOODY RIOT IN GLASGOW—THE HANGMAN'S WHIP—THE SPY SYSTEM—GLASGOW SENDING ITS FIRST TWO MEMBERS TO PARLIAMENT—BURKE AND HARE—THE FATAL DOOM OF THE GLASGOW BUTCHER, &c., &c.*

BY  
PETER MACKENZIE.

VOL. II.

GLASGOW:  
JAMES P. FORRESTER, 102 ARGYLE STREET.  
1890.



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ROBERT DALGLISH, ESQR.

*LORD PROVOST OF GLASGOW IN 1831.*

FROM A PAINTING BY GRAHAM GILBERT ESQ., IN THE POSSESSION OF HIS SON,  
ROBERT DALGLISH ESQ. M.P.

DA  
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SOCIAL AND POLITICAL  
REMINISCENCES OF GLASGOW.

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CHAPTER XIII.

ANONYMOUS LETTERS—AN EXTRAORDINARY GLASGOW DRAMA—THE GREAT CASE OF KINGAN V. WATSON, *ET E CONTRA*.—(*Continued.*)

MR. OSWALD selected, as his *referee*, Mr. Charles Stirling of Cadder, brother of Mr. Stirling of Keir, the father of the present esteemed M.P. for Perthshire, and chief partner of the then great house of Stirling, Gordon & Co., of this city. Mr. Watson selected, as his *referee*, Mr. Chas. M'Intosh of Dunchattan, father-in-law of the then Mr. Horrocks of Tillichewan Castle (now the property of the esteemed Mr. Campbell of Tillichewan, whose amiable father we shall surely come to notice by-and-bye, if we are spared), and next, perhaps, to the late Mr. Charles Tennant of St. Rollox, Mr. M'Intosh was one of the greatest chemists of the age.

None more honourable—none, apparently, more sagacious—none with a loftier sense of what was supposed to be due between one gentleman and another, than these *two* referees we have thus described. Mr. Robt. Aitken, of the Bank of Scotland, then in Miller Street—father of the present Mr. Robt. Aitken of Messrs. Aitken & MacKenzie, accountants—was so engrossed about the business,

that he wrote out the important deed of *reference*, on stamped paper, with his own hand. He got it subscribed by Messrs. Watson and Oswald in presence of witnesses. They were, therefore, now both bound by it—finally, solemnly, and irrevocably—whatever might be the issue of it to their own characters.

The arbiters immediately proceeded to the delicate investigation touching those “anonymous letters,” which had produced such consternation, and were fraught with so much mischief to many of the most esteemed families in the city and neighbourhood, leading some of them to regard each other almost as *demons* in human form.

Without the least loss of time, the referees, consulting between themselves, brought specially from Edinburgh a most distinguished engraver, whose name still lives on many of the Bank Notes of Scotland, namely, Mr. Lizars, to decipher and examine some of the most important of the anonymous letters, and to conduct an investigation in Glasgow respecting them. At this period Mr. Kingan was confined to his own house by severe indisposition, and he had no idea at all that Mr. Lizars had arrived in Glasgow for such a purpose. Most assuredly none of the arbiters at that time approached Mr. Kingan on the subject.

Here we must pause to make an observation, the justice of which we hope will be appreciated by our intelligent readers, who may now view this story with *impartial* eyes; but the greatest partiality at one time existed about it in Glasgow. The observation of our own is this, That with the subscribed *Reference* before them, it was the chief duty of the *Referees* to ascertain, and judge, and decide whether or not Mr. Oswald was warranted in his accusations against Mr. Watson; or whether there was

any real proof of Mr. Watson's guilt in connection with these anonymous letters, so as to warrant Mr. Oswald in stigmatizing his character by black-balling him in the Western Club? *That* was clearly and properly, we presume to think at this distance of time, the only important question at issue between these parties. There was, indeed, no other question then in existence, or at issue between them. The *guilt* of Mr. Watson, if proved, would have been the vindication of Oswald. And, on the other hand, the vindication of Oswald would have been the condemnation of Watson. In other words, if Watson was found, by the referees, to be really the writer or author of these scandalous letters, he *deserved* to be black-balled, and Mr. Oswald, or any other gentleman, was well entitled to take that course against him in the Western Club. If, however, Mr. Watson was really *innocent* on the award of the referees, then Oswald owed to him every reparation and apology. We hope we are making this, so far as it goes, pretty plain to our readers; nor do we think any of them will find much fault with us for saying, as we here again do, that these notions of ours, thus expressed on this important case, are grounded on the best principles of law, truth, justice, and honour.

But no sooner was the reference between Oswald and Watson entered into, as above stated—and scarcely was Mr. Lizars, the engraver from Edinburgh, many hours in Glasgow—than a most extraordinary turn took place in the agitated business. An insinuation was now whispered into the ears of Mr. Watson—not by his opponent Mr. Oswald, but by others of Mr. Watson's own friends—that *John Kingan himself was the author of all these scandalous anonymous letters!*

Mr. Watson, writhing under the “*Vinegar Dialogue*,”

which Mr. Kingan wrote and sent to Miss Oswald, as before stated, readily—too readily, we should say—sucked in these insinuations against Mr. Kingan, but he paid a most severe penalty for it in the end, as we shall show. He went and communicated his suspicions *against Kingan* to Mr. Aitken, the banker, who had written the reference, and Mr. Aitken communicated them at once to Mr. M'Intosh, the referee chosen by Mr. Watson ; and strange to say, Mr. M'Intosh swallowed them as Gospel ! He became actually incensed against Kingan. Not so the other referee, Mr. Charles Stirling of Cadder, who seems throughout the whole of the business, to have displayed the loftiest sense of judicial dignity and honour.

Mr. Oswald had produced to the referees, as part of his evidence against Mr. Watson, the written dialogue which Mr. Kingan had transmitted about the “Vinegar,” &c., to Miss Oswald. Mr. Lizars pronounces it to be, in his opinion, the very hand that had written one or more of the most revolting anonymous letters ; therefore on that opinion—confirmed as it was by Mr. Edward Walkinshaw, once the junior partner in business with Mr. Kingan—the latter gentleman, viz., John Kingan, himself the bosom friend of James Oswald—and the welcome, but never suspected visitor of that family—was the guilty wretch ! The tables were thus diverted from Mr. Watson, and every other person, and turned now on the devoted head of poor Kingan, then shut up in his sick chamber, who was deliberately accused by many as being one of the greatest fiends and hypocrites in the city. At that period, such was the wrath against him, that he would have been hooted and maltreated, could he have shown his face in some of our public streets ; but he lived to have his calm victory and his quiet revenge at last.

Mr. M'Intosh, the referee of Mr. Watson, in his zeal to get, if possible, the opinion of Mr. Lizars *confirmed* by others of the most eminent engravers, or lithographers, or judges of writing in the empire, proceeded to London, there to see them for that purpose ; and on the evening before he went away, he saw Mr. Oswald, and hinted to him, for the first time, his suspicions that Kingan was the author.

Arriving in London, Mr. M'Intosh, we are sorry to say, more like a partizan against Kingan, than a judge in the case, consults the eminent Dr. Wollaston, and Sir Francis Freeling, Secretary of the General Post Office, but he received little encouragement from them about Mr. Kingan's hand-writing, as applied to the anonymous letters. In fact, they told him that the evidence of engravers, as to the *comparatio literarum*, when uncorroborated by some substantial links, "was as a rope of sand." Never was a truer sentiment expressed, as this case itself afterwards clearly established.

Meanwhile the other referee, Mr. Stirling of Cadder, acting in Glasgow with honour bright, thus writes to his colleague in London—

Glasgow, Saturday, 21st Jan., 1826.

MY DEAR M'INTOSH,—I shall be glad to hear that you have made a pleasant journey, and that you have reached the city in safety.

It seems Kingan has now been apprised of the suspicions which attach to him regarding the anonymous letters. Oswald has been frequently calling for me on this most unpleasant business. Our duty, certainly, is either to acquit or condemn Watson, but not to implicate any other person.

What I would recommend you to do is not to hold any conversation with these gentlemen (Freeling and Wollaston), but to write to them requesting their opinion on the hand-writing submitted to their inspection. By this means, the most unscrupulous cannot blame you

for anything like partiality. *The matter is making a great noise here, consequently there are two parties strongly pitted against each other.*

A most sensible letter that was from Mr. Stirling; but Mr. M'Intosh takes the *huff* at it, and writes to his colleague as follows—

*London, 25th Jan., 1826.*

Unless it is distinctly understood that I am at perfect liberty to proceed in the manner most agreeable to myself, I shall throw up the reference.

The gentle Mr. Stirling thereupon replies—

*Glasgow, 28th Jan., 1826.*

Do let me request you to submit the hand-writing in the manner which appears to you to be best; and when you come down we will be able to finish the business very speedily. It would be a great pity to throw up the matter now, when so much has been done. Oswald is out of town. Watson I have seen, who says that he reposes the utmost confidence in both of us, and hopes we shall soon finish the business.

Another extraordinary chapter of events now took place as regarded Mr. Kingan—most damaging to his previous fair fame and character. He had, as we have remarked, several partners in business with him. The last of these was a young gentleman (already noticed) of the name of Edward Walkinshaw. The firm had been Kingan & Walkinshaw. Mr. Kingan put an end to the partnership. Whether that chagrined Mr. Edward Walkinshaw or not, we cannot say, and it is perhaps immaterial to inquire; but this fact is certain, that he went and delivered up to Mr. Robert Watson a number of Mr. Kingan's genuine business letters; and countenanced Mr. Watson in the belief that the anonymous letters were really in the hand-writing of his late partner.

At that time Messrs. J. & R. Watson had almost unlimited means at their disposal, as BANKERS. It eventually turned out that Walkinshaw had palmed off some of his own paper upon them to an enormous amount. They readily discounted many of his bills. Better for the Watsons that they had never seen such a customer, as the sequel will show.

Yet this evidence—or rather these suspicions against Mr. Kingan—corroborated by his own recent partner, Mr. Walkinshaw, when spoken of through the city, told most terribly against Kingan. When he arose from his sick-bed—he rose as if from a distressing sleep—a night-mare—a troubled life. Some of his former best friends, when they beheld him on his crutches in St. Vincent Street, seeking fresh air to recruit his diminished bodily frame, fled from him, or escaped, or eluded him as if he had been a demon or a fiend. Others, with nobler minds, stood honestly by him. A few, a very few, had the greater manliness to tell him of the sad and heavy accusations levelled against him in the city, to which we have before adverted. He was struck dumb with astonishment, mingled with honest indignation; so when he learned, in a few days afterwards, of the return of Mr. Charles M'Intosh from London, he, on his sick couch, wrote the following letter to the referees, which we quote, because it bears internal and external evidence of the accomplished but calumniated man; and as proceeding from his pen, now slumbering in the grave, it is well entitled to command some interest and respect from our readers now—

*24th February, 1826.*

GENTLEMEN,—I have delayed, till the return of Mr. M'Intosh, to represent to you the nature and extent of a very grievous and cruel

injury that has arisen to me, as I am informed, from your proceedings as arbiters in the reference between Mr. Oswald and Mr. Watson.

In doing so, I cannot forget the respect that is due to you as individuals, and to the office you have jointly assumed. All I have to do is little more than to make a plain statement of facts.

Having been confined to the house by severe indisposition, from the middle of December till the present time, it was only about the middle of January that I learned, from a friend, that a letter of mine had been obtained from my late partner, Mr. Walkinshaw (of the manner in which it was obtained, I shall have occasion to speak by-and-bye), which you have subjected to the opinion of an Edinburgh engraver, who had been pleased to report "that it was, in his opinion, the same hand-writing as one of the anonymous letters which formed the subject of the reference." Every friend now informed me that this opinion was published everywhere by Mr. Watson's friends, as that of the arbiters, and was, of course, received by the public as proof that I was the writer of these letters ; and, of course, that Mr. Robt. Watson was not.

Under this painful odium, I have passed the last five or six weeks; and, owing to my confinement to the house, I cannot well judge either of the intensity of its nature or extent.

I am advised that it was not competent for you, as arbiters between Mr. Oswald and Mr. Watson, to take under your consideration the hand-writing of any other person, unless by his own consent. Unfair as it may have been to me, that my letter was brought into this discussion, yet if the engraver's report had remained secret with you, to be used only when you came to consider and determine the only question referred to about Mr. Watson, the injury to me had been unfelt, because unknown. It is the allowing this rash *ex parte* opinion to get abroad, of which I justly complain.

The situation in which I am placed is one of great hardship and cruelty ; and, as arising from judicial procedure, one of singular novelty. Being no party to the appointment of the judges, they are as to me without jurisdiction. Yet they have put me on my trial, but without citation. I am treated as an accused person, but there is no accuser. Evidence is procured from one, at the expense (on his part) of a breach of confidence ; he, in his turn, alleges that it was surrendered on a pledge that has been forfeited. The *ex parte* report upon this document, comes forth to the world claiming the sanction of the judges, forming at once conviction and sentence. Execution fol-

lows, of course—a moral burning and branding of my good name and character. When the public have wondered at all this for a day or two, intelligence is brought to me, for the first time, of the existence of the proceedings—proceedings by which I have been pronounced guilty, in absence and innocence. This engraver's opinion, had I known of these ongoing, and thought proper to plead before the judges, I might have shown—by equal, perhaps better authority in his own profession—was wholly groundless. Had I resorted to the real evidence of the case—the declarations of the receivers of these anonymous letters—it would have proved that, to a person circumstanced as I am, to have written them, was, to say the least of it, utterly impossible.

It is humiliation to have to defend one's self against such a charge, but no alternative is left me. And here I beg leave to say, that most humbly, because most deservedly, I shall submit to whatever disgrace and infamy my worst enemies desire to inflict, if I ever saw one of those letters till they came to the persons to whom they are addressed. You will soon have occasion to examine both under the reference, when you may easily verify the statement I am now about to make, should you think it necessary, in order to do me justice.

*First*,—"The individuals, I trust, will prove to you, that all the Govan letters are of one hand-writing."

*Second*,—"That, except the Shieldhall family, the receivers of these letters are, as to me, of two classes. With the one (as Mr. Rowan, &c., &c.,) I am so slightly acquainted, that no opportunity has ever been given for ill humour to arise on either side—nor does any exist. The other class (as Mr. Foster, &c., &c.,) are total strangers to me; their persons, residences, and some of their names, till the present discussion, being wholly unknown to me."

*Third*,—"All the individuals, I am informed, are agreed that the writer, from his early and minute knowledge, must be a residenter in the parish of Govan, of a very active and inquisitorial habit, even as to domestic occurrences."

*Fourth*,—"They are, I understand, equally agreed in acquitting me of all suspicion of these letters."

And, *lastly*,—"So far as these parties have either exhibited or explained the contents of their letters, it is demonstrated that they contain many facts and circumstances which it was *impossible* for me to have known at the time the letters were received."

I am, Gentlemen, your obedient Servant,

JOHN KINGAN.

That letter from Mr. Kingan, so much to the purpose, so manly and distinct, did not arrest the heavy accusations against him. He, however, got two respectable engravers in the city, viz., the late Mr. James Haldane and the late Mr. Robert Gray—who was, by-the-bye, the early school-fellow and companion of Thomas Campbell, the immortal author of the “Pleasures of Hope”—to testify and declare, after a minute examination of the anonymous letters, contrasted with the genuine ones of Mr. Kingan, that they were *not* in his hand-writing. This, therefore, neutralised, so far, the opposite evidence of the Edinburgh engraver; but still the accusations against Mr. Kingan were propagated and believed. We shall demonstrate, by-and-bye, from irrefragable evidence, which no power on earth can *now* controvert, that he was as innocent of these anonymous letters as the child unborn; and, strange to say, we shall bring home the guilt, for the first time, to another and far different party—on a *Lady* too—who, during all the judicial investigations which afterwards took place in Edinburgh and Glasgow, never once was suspected!

The referees had now no course left to them but to acquit Mr. Watson, because there was no proof whatever against him of the authorship. They, therefore, triumphantly absolved him, and required Mr. Oswald to make a suitable apology to him, which he, as a candid and honourable man, at once agreed to do. He acknowledged he was egregiously mistaken—perhaps for the first time in his life. He waited on Mr. Watson, made the apology, and they now cordially shook hands.

This was well. Happy would it have been for all parties if the matter had terminated here. But the case took another most extraordinary turn, as we shall show in the succeeding chapter.

CHAPTER II.—KINGAN *versus* WATSON.

THE joy of Mr. Watson and his friends at this acquittal only whetted their appetite against Mr. Kingan. They now propagated all sorts of accusations against him, with reference to the anonymous letters. Mr. Watson himself, in an evil hour, waited on George Rowand, Esq., at his house of Holmfauldhead, and emphatically and unequivocally declared to him that he was armed now with sufficient evidence of Kingan's guilt. There were other parties at the moment in that house, or in the neighbourhood thereof, who knew well that Kingan was *not* the author—that he was utterly and absolutely innocent—but it was policy—deep policy, for them to remain silent at this stage.

Mr. Watson, however, did not rest here. In the old Exchange, or Tontine Coffee-Room, he openly declared to every gentleman he met with, and in particular to Douglas Alston, Esq., commanding-officer of the regiment of Glasgow Sharpshooters—on the retirement therefrom of Mr. Samuel Hunter—that Kingan *was* the author; that he had such evidence as would convict him before any jury; and, he added, that he wished now that Kingan would *dare* to prosecute him for making the bold and most serious accusations.

All this, and much more, was, of course, communicated to Mr. Kingan. It acted powerfully to his prejudice. It was enough to blast the character of any man. He himself, the first and most welcome member of the Western Club—he, one of the most handsome, gifted, and popular men of the city—was in danger of being ejected from the Club by physical force. Some of the members absolutely refused to sit down and dine with him at the same table.

They scored out his name from one of their turtle feasts. This touched him to the quick. The daggers flying round him had nearly made him prostrate, but he acted like an upright and honourable man in all this ordeal.

Slowly, but firmly, he took his ground. He collected his evidence, and now he became ready to meet his accusers, face to face, in open Court of Justice—and before the highest Judges and tribunals in the land. He, therefore, instructed his agents—Messrs. King & Campbell, writers in Glasgow—to raise an action of damages, before the Lords of Council and Session, against Mr. Watson, charging him with having most *falsely* and maliciously made these accusations. That action was raised on the 27th of June, 1826 ; and it concluded for the sum of £10,000 sterling of damages, besides expenses.

Immediately upon this, Mr. Watson also raised an action against Mr. Kingan, concluding, likewise, for the sum of £10,000 sterling of damages, besides expenses. These two cases, as may be well imagined, from our previous narrative, created uncommon interest over the whole city, and even beyond it. The city, indeed, raged, and became divided into two great parties, viz., the Kinganites and the Watsonites. Nothing was then discussed in taverns or in halls, at dinner or supper parties, but the merits, or supposed merits, of the two cases. Ten thousand tongues of scandal, at least, were occupied about them in Glasgow. At last, after a long course of preliminary legal discussion in Edinburgh, the Lords Commissioners of the Jury Court prepared the following ISSUE for trial—

*In the Case wherein John Kingan, Merchant in Glasgow, is  
Pursuer, and Robert Watson, Banker there, is Defender.*

It being admitted, that during the years 1822, 1823, 1824, and 1825, a great number of anonymous letters were written and trans-

mitted to certain individuals of a number of families residing in, or connected with the Parish of Govan, in the County of Lanark, containing *gross and obscene allusions, and abominable insinuations, and charges of immoral and improper conduct against the parties, or the near relations of the parties* to whom the said letters were transmitted, and containing matter offensive and insulting to the said parties, and calculated to hurt the feelings of the individuals to whom they were addressed, and to create dissensions in families, and to destroy friendly intercourse ; and containing matter of so abominable description, that whoever was guilty of writing or transmitting the said letters, knowing their contents, ought to be branded with infamy, and banished from society :

Whether at various times and places, in and near Glasgow, during the years 1825 and 1826, or either of them, the defender did falsely and calumniously state, or insinuate to various parties, that the pursuer was the author of the said anonymous letters, or any of them, or in transmitting the said letters, or any of them, knowing the contents of the same, to the injury and damage of the pursuer :

Or, it being admitted that the letters forming Nos. 18, 19, 20, 21, 22, 30, 31, 49, 50, 76, 77, 78, 80, 81, 82, 83, 84, and 85 of process Kingan against Watson, and No. 69 of the process Watson against Kingan, are part of the said anonymous letters :

Whether the pursuer did write and transmit the whole, or any part of the anonymous letters last aforesaid, or did transmit the whole, or any part of them, knowing the contents of the same.

(Signed) WILLIAM ADAM,  
Lord Chief-Commissioner.

Damages laid at £10,000.

Such being the issue of this important case of Kingan *v.* Watson, it was arranged that the equally important case of Watson *v.* Kingan, should be tried at Edinburgh by the same Jury; in other words, that the Jury who first heard the case of Kingan should decide by their verdict the case of Watson. Nothing, for the elucidation of the truth, could, apparently, be fairer than such an arrangement.

## CHAPTER III.—THE APPROACHING TRIAL.

THEREFORE it came to pass, that these two important cases were fixed to be tried before the Right Honourable William Adam, Lord Chief-Commissioner of the Jury Court, with his colleagues, Lord Cringletie and Lord Mackenzie, and a Jury, at Edinburgh, on Friday, the 21st of March, 1828.

Great was the interest continued to be manifested about these two cases. The succession of the Dukedom of Douglas—the more recent succession in lawsuits as to the estates of the late Marquis of Breadalbane, did not, or could not, create greater interest in this city, than did the fate of these two local cases. For several days before the trial, every seat—both inside and out—of every stage coach from Glasgow to Edinburgh was anxiously secured. The seats, too, in the Royal Mail Coach, had long been pre-engaged. In fact, besides these, every carriage, vehicle, and post-chaise in Glasgow was in requisition for carrying the parties—with their long retinue of friends, agents, and witnesses—to the scene of action. William Lyon, then in his glory, driving four-in-hand the Glasgow and Paisley coaches ; old Joseph Bain, possessed of the finest team of blood horses in the kingdom ; together with old George Burns of the Black Bull ; Mrs. Currie, or Jardine, of the Buck's Head ; and John Milne of the Tontine, were all put to their mettle in this renowned case or cases, for the conveyance of the vast array of witnesses and others, on both sides, to Edinburgh. It was, indeed, a most exciting case, and a rich one for the postillions, coach proprietors, and innkeepers on the road between Glasgow and Edinburgh. Need we say that it

was one of the most lucrative ones for some of the celebrated advocates at that time in Edinburgh !

Those advocates specially retained to conduct the case for Mr. Kingan were the then Dean of Faculty, Sir Jas. Moncrieff (afterwards Lord Moncrieff, and we are always glad to identify him as the father of James Moncrieff, the present Lord Advocate of Scotland), Francis Jeffrey (whose name we can never mention without emotion), and Robert Jamieson, then a young, but most able man, rising into great practice at the bar, but he was cut off when almost reaching the highest pinnacle of his profession, as others, alas, have been, by that adversary who spares no rank or condition of men.

On the other side of the case there appeared, as counsel for Mr. Watson—Henry Cockburn (who does not remember him in the Parliament House of Edinburgh ?) with Patrick Robertson (afterwards Lord Robertson), and Wm. Penny, Esq., then a young Glasgow gentleman, who had recently passed the Faculty of Advocates. He is the last of that distinguished group (in these cases) now remaining, and we hail him with profound respect as the present Lord Kinloch, born and bred, we repeat, in the City of Glasgow, and now a distinguished Senator of the College of Justice. He is the brother of Mr. S. M. Penny, accountant in this city, well-known for his amiable disposition in many ways, as his accomplished father—once a dignitary of the Royal Bank—also was long ago, leaving yet in the remembrance of a few old surviving citizens a most pleasing fragrance of genuine worth, honour, and integrity combined. We are really glad to point out the scions of worthy families in this way ; and we are not without hope that we shall be able to enlarge the number and to record the names of many others, ere we are done with

these Reminiscences, who contributed, in their day and generation, to the honour and prosperity of Glasgow, let some “upstarts” think of it as they may.

It had been previously arranged by the counsel and agents on both sides of the bar, that the same Jury in Kingan’s case should continue to sit and try the action at Watson’s instance against him, and thus that one Jury should determine the whole affair.

Mr. Francis Jeffrey opened the case for Mr. Kingan in one of his most pointed and polished speeches, which lasted for nearly two hours. We need not go over it, though some of it was most enchanting. It is sufficient for us to observe that, in terms of indignant eloquence, Mr. Jeffrey, from first to last, indignantly denied the guilt of his client, Mr. Kingan, and boldly challenged the defender to make good his accusations against him. In scanning over some of the anonymous letters, and reading others of them to the Jury, the animated Advocate could scarcely restrain himself. He flung them from him, down on the table of the Court, and thus proceeded—“ Gentlemen of the Jury, I say to you that these letters are a tissue of the vilest and most contemptible twaddle ever penned—they are a compound of such silly, venomous, and debasing trash, *that I do not believe they are the production of anything in the shape of a man.* No male intellect is capable of such an utter and complete prostration.” And, recovering himself from this burst of honest indignation, Mr. Jeffrey made the following prophetic statement, which was scouted at the time, but which we may dwell upon for a short space when we afterwards come to clench and review some of these proceedings. “ My conviction is,” exclaimed Mr. Jeffrey, “ my conviction is, my Lords and gentlemen of the Jury,

that *they are the composition of a WOMAN*—of one of that wretched class of females in whose heart disappointment and neglect have soured every good, and exasperated every evil principle ; and who, having lost also the natural amenity and benevolence of her sex, has, by a not unnatural transition, degenerated into one of those jealous, spiteful, and mischievous beings who take pleasure in outraging every generous feeling, and seek employment and gratification in trying to blast the characters and poison the happiness of all within their reach. Is it conceivable that Mr. Kingan, a man of admitted talents, and who had long moved in the very best society of Glasgow, could have been the author of the debasing, infamous, malignant, and stupid trash I have described ?”

#### CHAPTER IV.—EVIDENCE FOR MR. KINGAN, THE PURSUER.

FIRST,—The evidence of the venerable Mrs. Oswald of Shieldhall, taken on commission, was *read* to the Jury, the lady being unable to travel to Edinburgh to give evidence in presence of the Jury. She testified to the receipt of many of the anonymous letters, which had vexed and annoyed her son and two daughters exceedingly, as also Miss Hutton, with whom she had frequent conversations on the subject. She solemnly deponed “that she does not suspect, nor never did suspect, the pursuer (Mr. Kingan) to be the author of the said letters, or any of them.”

Her son, Mr. James Oswald, was now the first witness personally called into the witness-box for Mr. Kingan. He confirmed the evidence of his mother as to the innocence of the pursuer. He solemnly swore that he often heard from Mr. Watson that Kingan was the author ; the first occasion was in the Bank of Scotland’s Office, a few weeks after the *reference* to Messrs. Stirling and M’Intosh

had been entered into ; and on another occasion he, Watson, positively declared to the witness that "*that long man Kingan wrote every one of these letters ;*" and, he added, "that he *knew* it, and could *prove* it." When Mr. Watson thus stated to the witness that Kingan was the author of those anonymous letters, witness in reply told him "that he was convinced it was impossible, and advised him to abandon his absurd opinions. But Mr. Watson persisted in accusing Mr. Kingan as the author, and laughed at the incredulity of the witness on the subject." It was no *laughing* matter, we must say, to Watson in the end. The witness went on to swear to his belief in the innocence of his friend Kingan. "He knows Mr. Kingan's hand-writing very well. He had carefully examined the anonymous letters, and does not think they bear the least resemblance to his hand-writing. Yet the effect (adds the witness), of these accusations against Mr. Kingan is, that he is now excluded from all society, except that of a few trusty friends who concur with me in his innocence." Such was the substance of Mr. James Oswald's evidence up to that period.

The two amiable and esteemed ladies, viz., Miss Oswald and Miss Margaret Oswald, were next examined at considerable length, and confirmed the evidence of their respected mother and brother in all respects.

Miss Catherine Hutton, the fading lady already noticed (but yet to be noticed in a more remarkable way), was called as the next witness. She swore to the receipt of many anonymous letters addressed to herself, produced in process ; and she deponed that she heard Mr. Watson (the defender) accusing Mr. John Kingan (the pursuer) of being the author of them. The witness volunteered this statement—"She never suspected Mr. Kingan to be

*the author.*" A safe statement, certainly, for her to make at that important period, cognisant as she was of other circumstances then concealed within her own breast.

The next witness called for the defence, was old Mr. George Rowand, in whose house, as we have already remarked, Miss Hutton resided. He testified "that he had received many of those anonymous letters—that he found one of them in his own barn when he opened it one Thursday morning, in the month of June, 1824, with a bit of slate attached to it, as if to secure its safe arrival on his barn floor, which he generally opened about seven in the morning. He also found several such letters in his garden addressed to himself *and to Miss Hutton*, which annoyed both of them exceedingly. Mr. Robert Watson accused Mr. John Kingan as being the author of these vile letters. Witness never suspected Kingan, because from his non-residence in Govan he could not fitly be the author or deliverer of them."

Miss Margaret Good, of Govan, who had also received several of the anonymous letters, testified that she never saw Mr. Kingan in all her life, and that it was impossible for him to accuse her in the way alleged.

Mrs. Muir, an esteemed married lady in the parish, had received no fewer than *sixteen* of those anonymous letters, touching the conduct of her husband, &c. She became sensible that Mr. Kingan, from his position and residence elsewhere, could not, by any possibility, be the author of them.

The honourable referee, Mr. Charles Stirling of Cadder (called by Mr. Kingan), gave a long statement in regard to the reference.

Mr. Robert Douglas Alston, one of the most eminent men then in Glasgow, swore to the undoubted fact, that

he heard Mr. Watson, deliberately accusing Mr. Kingan, in the old Exchange, or Tontine Coffee-room of Glasgow, as being the author.

The next important witness for Mr. Kingan was Kirkman Finlay, Esq. of Toward Castle, who, as we have already stated, had mighty influence at that time in Glasgow. He was intimately acquainted with Kingan—they often visited each other; and Mr. Finlay deponed, from his knowledge of Kingan, that it was impossible for the latter to write such diabolical letters.

Another important witness called for Kingan was Mr. Wm. Kippen of Busby, founder, or chief proprietor of the Glasgow *Chronicle*, who was well acquainted with his hand-writing. He scouted the idea that Mr. Kingan was the writer of such letters.

Mr. C. D. Donald, the late Commissary Clerk of Glasgow (one of the most acute and able agents in his line that Glasgow ever saw—descended from one of the best families in Dumbartonshire), deponed that “he had known Mr. Kingan intimately and well for very many years—they were at school together; and on a careful comparison of all the letters, witness had no hesitation in declaring that the anonymous letters libelled on were not in the hand-writing of Mr. Kingan—that they were utterly at variance not only with his character as a gentleman, but with his genuine hand-writing, which the witness never saw disguised in any way.”

To meet one of the direct imputations against Kingan, Mr. Watson and his counsel and agents averred that one of the vilest of the anonymous letters forming the ground-work of this extraordinary process or accusation against Kingan, was *posted* in Glasgow on the 12th August, 1823, directed for Govan; whereas Mr. C. D. Donald, from vivid

recollection, swore that at that very period Mr. Kingan was away at Airdrie, with the witness and some gentlemen, for several days, surveying the original transit of the Monkland Canal, now yielding such enormous results—results which, in point of wealth, have surpassed the original revenue of the Kingdom!

Mr. Robert Muir, late Merchant in Glasgow, Mr. Jas. Haig, late Merchant in Greenock, and Mr. Peter Buchanan (the brother of Isaac Buchanan, renowned in Canada), who rose to great wealth in this city—but whose mournful death in Ayrshire, a few years ago, we shall not dwell upon in this place—were originally humble clerks in Mr. Kingan's employment, and patronised by him. With truthful fidelity they all swore that the anonymous letters were not in his hand-writing.

But Mr. Kingan's last and latent *partner* in business, viz., Mr. Edward Walkinshaw, who had been *coquettling* with the Messrs. Watson, and anxious to get into their good graces as *Bankers* (and he succeeded in a most ruinous way to them, as we shall show), by first insinuating and positively encouraging them to believe that, from his knowledge of Kingan's hand-writing, several, at least, of the most abominable of the anonymous letters were his—and he undertook to swear to the fact.

Mr. Kingan learning this—through his acute agents—determined, at all hazards, to bring forward Mr. Edward Walkinshaw on his citation; and to put him into the witness-box, and interrogate him in the first instance; which only will afford another proof that injured innocence need never be afraid. Mr. Edward Walkinshaw kept his ground pretty well for Mr. Watson at first, but under the quick piercing eye of Francis Jeffrey, the examining counsel, he began to stagger and equivocate.

Seeing this (and after Mr. Jeffrey had sat down), one of the gentlemen of the Jury took up the cudgels. "Sir," said he to the witness, "do you mean to swear, and lead us to believe, that these two letters, in particular, which you have pointed out, are in the hand-writing of Mr. Kingan?"

The witness paused—he hesitated—he shook! His answer was—"The *outside* of the letter addressed to Mrs. Oswald is strikingly like the hand-writing of Mr. Kingan, but I am not so sure of the *inside*—I rather think it is *not* his."

"But," said the learned counsel, Francis Jeffrey, "the *inside*, sir, is the most reliable test of your evidence. Will you *swear* now that it is in the hand-writing of the pursuer?" "No, *I will not*," replied witness.

By Henry Cockburn, for the defender—"What is your belief as to the general appearance of the whole letter?" Witness—"I *incline* to think that *it is not* Mr. Kingan's—I am not convinced that it is. I would not like to answer it in any other way."

He thus fairly broke down as a witness *against* Kingan, and he could no longer be esteemed as a good reliable witness for the defender.

Then the engravers were called—Messrs. Forrester and Kirkwood of Edinburgh, and Messrs. Haldane and Gray of Glasgow. Some of them had actually devoted six or eight hours *per diem*, for more than two months, in comparing the hand-writing—in contrasting Mr. Kingan's genuine hand-writing with the whole of the anonymous letters that had been recovered and produced in process. They were unanimously of opinion, and swore that they had "no resemblance whatever." The result of their united testimony was (using their own words) "to make them firmer and more positive in their opinion, that Mr.

*Kingan was not, and could not be, the author of these anonymous letters, or any of them."*

Mr. Wm. Gibson, the intelligent and esteemed session-clerk of the parish, swore, from his knowledge, that it was impossible for Mr. Kingan to be cognisant of some of the facts occurring in the parish, described minutely in some of these letters.

The other witnesses called for the prosecution were Mrs. Hunter, formerly his house-keeper, to prove an *alibi*, on the part of Mr. Kingan, with reference to the date of the Glasgow post mark on one of the most virulent, but important of the anonymous letters ; and also to speak about a fellow-servant of the name of Patrick, who, it was known, had been cited as an important witness for Mr. Watson.

John Hamilton, Esq. of Northpark (formerly Lord Provost of the city), was next called as a witness for the pursuer. He described his residence at Northpark to the Jury, which he said was then about three miles from the city north of the Clyde. [It is now almost a part of the city itself, and leads to what is called at this present time "*the New City Road* ;" and the old house of Northpark, in which the venerable provost resided, was only demolished within these last two years, to make way for the elegant pile of buildings now called North Park Terrace. What marvellous changes, therefore, have taken place since the old Provost was examined in Edinburgh as a witness on that great trial!] The esteemed Provost went on to tell the Court and the Jury "that he carefully keeps a diary, in which he enters the name of all visitors who dine with him—(the Lord Chief-Commissioner very politely addressing witness said, 'It was a good old practice, deserving of every commendation. Proceed, Mr.

Hamilton')—witness sees, from that diary now in his hands, that the pursuer dined with him at Northpark, on Wednesday, the 23rd of June, 1824. There was a large party from Glasgow; some other friends were also staying with him on a visit; they remained till after supper. At all events, witness is certain the party enjoyed themselves, and did not break up till late on Wednesday night, or early on Thursday morning." The evidence (seemingly unimportant at this point) of this fine old hospitable gentleman, who was one of the pillars of the city in his day and generation; and whose amiable son, viz., William Hamilton, Esq. of Northpark, also became Lord Provost of the city—a rare thing for us or others to record respecting one Glasgow family, namely, that both father and son succeeded to the highest municipal honours of this city; and it is gratifying for us to observe, also, that the Honourable Provost William Hamilton, who still survives full of activity, was (under Captain William Smith, also Lord Provost) an energetic Lieutenant, in the same company with ourselves, in the corps of gentlemen Sharpshooters, during the memorable years of 1819-20;—but the evidence, we repeat, of old Provost John Hamilton of Northpark became of the greatest consequence to Mr. Kingan, because it cleared away much mystery entertained at the time, about one of the very worst of the anonymous letters attempted to be fastened on him; we allude—we cannot publish it—to the singular letter which old Mr. George Rowand of Holmfauldhed had found—with one enclosed in the same envelope, addressed to Miss Hutton—when opening his barn-door at seven o'clock on *Thursday* morning—being, observe, the morning after Mr. Hamilton's dinner and supper party at Northpark; thus making it perfectly incredible, and

beyond the bounds of all human belief, that Mr. John Kingan, rising from that hospitable party, would sneak away *backwards*, or travel so greatly out of his way as this, which in reality, if true, would make him to cross the Clyde at Govan Ferry *at midnight*, or early on the Thursday morning, and thence to travel on to Mr. George Rowand's barn-door, and there to throw in that wicked, scandalous, and malicious letter, "with the bit of slate attached to it," in place of returning home with the rest of the party to his own comfortable residence in Glasgow. It might as well be said that a gentleman dining at Hamilton Palace, on the invitation of the Duke, in place of returning home direct to Glasgow, risked his life upon the Clyde, and crossed over to Motherwell, to pitch some wretched anonymous letter into the barn-yard of some old gentleman in that quarter, with the names of certain ladies attached to it. Yet Mr. Kingan had to encounter for a time this gross supposition and most extravagant prejudice, some glimmerings of which, we are sorry to say, still linger in our city; wherefore we have resolved to clear up this story according to the light of the living truth.

Mr. James Monteith, afterwards of Stonebyres, and Mrs. M'Call of Largs, and two postilions from the Black Bull and Eagle Inn of Glasgow, were called to prove another *alibi* on the part of Mr. Kingan, with regard to a scandalous transaction alleged to have occurred on a particular evening near Govan, when in truth he was forty miles away from the place. But why should we dwell on this a moment longer? We therefore bring this part of the case to a close with this singular fact, that the *last* witness in the large group examined for Mr. Kingan was Mr. Robert Dalglish, afterwards Lord Provost of the city,

the worthy father of our present esteemed Mr. Robert Dalglish, M.P. His evidence was short and simple in the extreme. It did not occupy more than five minutes altogether ; yet, strange to say, it gave rise to a tempest of litigation,—it deranged many heads in Glasgow,—it occasioned crimination and recrimination,—it put the able legal fraternity of Glasgow in a perfect blaze,—hundreds of pages were written about it *pro* and *con*,—and it absolutely came *afterwards* under the special review of the Lords Commissioners of the Jury Court in Edinburgh, and the most eminent advocates then at the bar were employed to plead about it—which they did with floods of eloquence, at great expense to their clients—although the period was now nearly arrived when we have the privilege, as well as the great satisfaction, of dispelling it like clouds before the sun ; or, if that be too lofty language for feeble mortals like ourselves to employ, we shall make it all plain to the meanest capacity, although it bamboozled clever men and learned lawyers at the time.

It had been insinuated, as our readers must know, by one of Mr. Kingan's maid servants (Margaret Patrick) whom the Watson party had secured, that she had on many occasions carried letters from Mr. Kingan to the Glasgow post-office, then in Nelson Street ; and with reference to one of these letters, supposed to be the worst of the lot, amongst the anonymous squad, she stated that she distinctly remembered of taking one or two to the post-office, addressed to Mr. Robert Dalglish. Now hearing of this girl's story, Mr. Kingan could not remember that he had ever written to Mr. Robert Dalglish at all, and therefore Mr. Kingan's Glasgow agent, instructed by Mr. Kingan, naturally enough, waited on Mr. Dalglish to learn from his own mouth how the fact really stood.

Mr. Dalglish, without hesitation, at once confirmed the statement of Mr. Kingan by bluntly declaring that he had never, to his recollection, received any letters from Kingan at all. Thus it became of the greatest importance to Kingan, to upset or strike down the anticipated evidence of that servant girl by the testimony of Mr. Dalglish himself; and therefore we proceed to give the interesting portion of Provost Dalglish's short but emphatic evidence, and some of our readers may afterwards hold up their hands with wonder, how, after this trial was over, such distinct testimony as he gave should have created such a ferment in this city as well as Edinburgh, as above alluded to, and led to most violent contention for *another trial*, under the most extraordinary circumstances.

Mr. Dalglish simply swore as follows:—"Witness resides in St. Vincent Street, Glasgow. Knows Mr. Kingan, the pursuer. Witness never received any anonymous letters except on some public matters while he was connected with the Magistracy. *He never received any letters from Mr. Kingan in all his life.*"

Plain and positive evidence, certainly; and so viewing it, Mr. Kingan's counsel, triumphantly in their own minds, closed his case to the jury.

#### CHAPTER V.—THE DEFENCE OF MR. WATSON AGAINST KINGAN.

MR. HENRY COCKBURN, as the senior counsel for Mr. Watson, made a long and luminous statement to the jury. He placed the case for his client before the jury with all his accustomed lucidity and power, eloquently descanting on the heinousness of the social crime which had brought about the great trial on which they were engaged, and justifying the course taken connected with it by Mr. Watson with consummate ingenuity.

Mr. Watson's first witness was his own cousin, Archd. Lawson, Esq., one of the respected Magistrates of the city. He swore that he had no recollection of the "*Vinegar Dialogue*" between Kingan and Watson, on the Govan Road, which Kingan, in writing, had reported to Miss Oswald. "Was once intimate with Mr. Kingan—thinks him the most likely person he knows to write these anonymous letters."

The next witness, Mr. Robert Aitken, agent for the Bank of Scotland (then in Miller Street), deponed as to the reference between Oswald and Watson, and the award of the arbiters in favour of the latter. Witness "*suspected Kingan all along.*"

The third witness (we do not give them in their exact order, but the essence of their testimony is the same) was Mr. Samuel Hunter, the celebrated editor of the *Glasgow Herald*, who gave his evidence to this effect—Witness "knows the three gentlemen, viz., Watson, Kingan, and Oswald. One day early in the summer of 1824 witness happened to call on Mr. Kingan, and found him in company and conversation with Mr. Oswald. After some little time Kingan advanced and said to Oswald, 'Shall we mention the circumstances to Hunter?' to which Mr. Oswald answered, 'He might.' After that Mr. Kingan informed him that the anonymous letters were still continuing, while the grounds of his suspicions against Mr. Watson, as being the author of them, were rapidly increasing. These statements, witness is almost ashamed to say, had too much effect in making him to believe in the truth of the accusations against Mr. Watson, to his injury and prejudice." Cross-examined by Mr. Francis Jeffrey—"In consequence of his talents, Mr. Kingan was received and much esteemed in good society." Interro-

gated whether he would consider him likely to be guilty of writing abominable anonymous letters, such as those described in the issues presented to the Jury? Witness depones "that *before* the accusations were made against Kingan, he could not have supposed him capable of doing so. Witness heard the chief accusations from Mr. Watson against Kingan only after many others had heard it. There was a letter about 'Vinegar,' written by Kingan to Miss Oswald, which made a great noise in Glasgow to the prejudice of Watson." Mr. Hunter, therefore, was supposed to be a first-rate witness in favour of Mr. Watson, in his *counter* action against Kingan for libel.

Mr. John Thomas Alston, Lord Provost of Glasgow from October, 1822, to October, 1824, was next called for Mr. Watson. Witness "remembers of visiting Kirkman Finlay, Esq., at Toward Castle, in July or August, 1824. Mr. Kingan was one of the party, and when walking out with him on the sea shore, he conveyed to witness the impression that Mr. Watson was the author of the anonymous letters."

Mr. George M'Intosh (son of the referee, Mr. Charles M'Intosh), witness, said, "In October, 1821, was at Tillie-chewan Castle, with Mr. Kingan, on a visit to Mr. Horrocks. Kingan recited to witness part of a satirical poem, and said it would be a capital subject to fire off an 'anonymous' upon. Witness asked whether he meant to send an anonymous letter? Kingan answered he did, and that an anonymous often produced a good effect."

Mr. Mungo Campbell—"Knows Mr. Kingan and Mr. John Miller. Was at a ball in Miller's house in March, 1825. Witness heard of an anonymous letter which Mr. or Mrs. Miller got. About a year after the ball, and sometime after the black-balling of Mr. Watson in the

Western Club, witness had a conversation with Mr. Kingan on the subject of the anonymous letters, and his remarks were intended to convince witness that the anonymous letter to Mrs. Miller had come from Mr. Watson."

At this stage Mr. Miller himself was called. Witness deponed "he was now quite satisfied that Mr. Kingan was *not* the author of the letter referred to."

Charles M'Intosh, Esq., the referee, was next called. He described the proceedings under the reference to himself and Mr. Charles Stirling, and described the employment of Lizars, the Edinburgh engraver—all as formerly mentioned—and he proceeded to state, "on my return from London, Mr. Oswald desired that Mr. Charles Stirling and myself should call on Mr. Kingan, and get information from him as to what had passed respecting the 'Vinegar Dialogue.' Mr. Kingan was then confined to his house ; but his statement was clear and distinct, that when the word 'vinegar' was used on the road, in presence of Mr. Lawson, as stated in the dialogue, that Mr. Watson became pale and excessively agitated. Witness immediately waited on Mr. Lawson, who firmly and positively denied that he had any recollection of such a dialogue as that which Mr. Kingan had described in his note to Miss Oswald. Witness and Mr. Stirling spoke to Kingan about the gross and injurious nature of the anonymous letters. Kingan replied that if he was guilty, he deserved to be hanged as high as Haman. Mr. Kingan then asked them if they really thought him capable of writing such letters ? Mr. Stirling said he did not ; but witness said nothing. The result, however, of this interview, with other incidents, was to confirm witness in the belief that Kingan was the author!"

Mr. Lizars, the celebrated engraver, was next called. He swore to his belief, still entertained by him, that the letters in question were in the hand-writing of John Kingan. Mr. Thomas Clarke, engraver, Edinburgh, concurred with Mr. Lizars in that opinion, as did Mr. Thos. Hopkirk, of Dalbeth, who had then become one of the first lithographic writers in the city of Glasgow.

At last Miss Margaret Patrick, formerly servant with Mr. Kingan, was called ; and all eyes were now directed to her, as being the supposed most important witness for Mr. Watson on this trial. She deponed nearly as follows : Was born and bred in the parish of Govan. Became a servant to Mr. Kingan, in Glasgow, from about Whitsunday, 1824, till Whitsunday, 1825. Mrs. Hunter was the housekeeper. Mrs. Copperthwaite succeeded Mrs. Hunter, and came to Mr. Kingan's new house in St. Vincent Street after witness. Witness once saw her writing, in the dining-room, to Mr. Kingan's directions. Witness was often sent with letters to the post-office. She recollects of taking some addressed to Mr. Oswald, to Mr. Spiers of Elderslie, to Mr. Perry at Fairfield House, and to Mr. Darnley, near to it, and others at Govan. Mrs. Hunter, the other housekeeper, also took a great many letters from Kingan to the Glasgow Post-Office.

Cross-examined by Francis Jeffrey—Witness swears she also carried letters from Mr. Kingan addressed to Mr. Robert Dalglish and to Mr. James Dalglish, but she cannot recollect of carrying any to the post-office addressed to Mr. Rowand of Holmfauldhead ; or to Miss Hutton, residing with him ; or to Miss Margaret Oswald of Shieldhall ; or to Miss Good, or Mrs. Muir of Govan. She deposes that although she came from Govan parish,

Mr. Kingan never held any conversation with her about Govan matters.

Such was the substance of this evidence on both sides. We might greatly enlarge upon it ; but that is not necessary from what will soon appear.

CHAPTER VI.—THE CHARGE TO THE JURY, AND THE SENSATIONS  
IN GLASGOW.

EAGER was the anxiety felt in Glasgow on Friday and Saturday of that month of March, 1828, for the result of these important trials. Crowds of people were in waiting at the old Tontine, the Black Bull, and the Buck's Head, for the arrival of the old Edinburgh stage coaches, to learn "the latest particulars" from the inside passengers, or the jaded driver or the guards of these ponderous old coaches. Heavy bets were pending on the result. Hundreds of pounds were offered and taken that Kingan would win. As many more were offered and taken that Watson would win. No race about the Derby in modern times could equal the interest felt in Glasgow about these two law-pleas now rapidly approaching their issue in Edinburgh. Towards the afternoon of Saturday the excitement in Glasgow became intense. Kingan's case had closed on the previous night in Edinburgh in presence of the Lord Chief Commissioner and his brother judges and the impanelled jury ; and this Saturday afternoon would surely bring the decision to Glasgow. Watson's friends and Kingan's friends, forming the *elite* of the city, were walking up and down the streets in the highest excitement, looking most eagerly for the arrival of the Edinburgh coaches and their blowing horns.

Those old stage coaches—there were only *two* of them

in the afternoon—which departed from Edinburgh at four o'clock, generally arrived in Glasgow about half-past nine of the evening—and this was rapid in comparison with previous ancient times, on which we need not here dwell—and the last evening coach of Saturday would, it was confidently thought, bring to Glasgow the decisive result in both cases. Pause, therefore, kind reader, and muse here if you please for one moment at the recent introduction of the *electric* wire, which brings the two cities so rapidly in contact now—muse upon this, and consider what a *revolution* has indeed been effected between these two cities and much more distant places, by the very history of this old trial. The old coaches, then deemed to be of the swiftest description, only arrived and reported on Saturday evening to the agitated citizens clustering around them for the news, that the proof in favour of Mr. Watson was just going on at the hour the coaches left Edinburgh. The next and last departure from Edinburgh was by the Royal Mail Coach at 10 at night, *via* Linlithgow and Falkirk, arriving in Glasgow at Mr. Joseph Bain's mail coach office, foot of Nelson Street, at half-past two o'clock on Sunday morning. Many of the most intelligent citizens remained out of their beds for this supposed certain intelligence by the arrival of the Sunday morning mail. When its trumpet blew at the Cross of Glasgow, the passengers, the guard, the coachman, were surrounded by clamorous parties eager to know the grand result. The mail coach people, however, were only enabled to tell that, when the mail left Edinburgh, Sir James Moncrieff had just concluded his great speech in favour of Mr. Kingan; and that the Lord Chief Commissioner was beginning at that late hour to address the jury. This therefore, prolonged the business, reprehensible

sibly, as some may think, till the Sabbath-day advanced ; but “the knowing ones in the city”—for there have been characters of that kind always about it—understood pretty well that, although no coaches arrived in Glasgow from Edinburgh except the mail on the *afternoon* of that day, there would be an *express* from Edinburgh on horseback to Glasgow to announce the result on one side or the other. Therefore the old Tontine Coffee-Room at the Cross became crowded to the door on Sunday morning, almost as much as it was for the battle of Waterloo. The Sabbath bells at eleven o'clock, summoning the citizens to the forenoon services, had scarcely ended their chimes, when lo and behold ! the jaded postillion from Edinburgh, on his spanking charger, foaming at the mouth, arrived at the Tontine, and waving his velvet cap, announced the verdict. No sermon that day in Glasgow, we venture to think, could have told so effectively on many minds as did that verdict brought from Edinburgh on that Sunday morning. But what was the verdict ? Let us now see.

CHAPTER VI.—THE VERDICT AND THE APPLICATION OF IT.

SIR JAMES MONCRIEFF, as the senior counsel for Mr. Kingan, next to Francis Jeffrey, had the right to *reply* on the whole case, and it is said that his speech on this occasion was not surpassed by any he ever made at the bar. He felt, like Jeffrey, that Kingan was an *injured man* ; and when a counsel is once impressed with that conviction, he generally rises with the occasion and displays all the energies of the man. We are sorry that the want of space utterly precludes us from giving some of the finest passages of it, but this is the less necessary when we come to refer to the result.

The Lord Chief Commissioner, the Right Honourable

Wm. Adam (already alluded to in some of these Reminiscences), charged the jury with more than his usual emphasis. He told them that this was a fatal case for one or other of the parties, requiring the most anxious deliberation of the jury. If they thought the *justification* proved by Mr. Watson, in answer to the pursuer's case, then they would find a verdict for the defender. If, on the other hand, they thought he had not made that out, and that Mr. Kingan was innocent, then they would find a verdict for the pursuer, and consider the amount of damages that should be awarded. He left the case—both cases—wholly in their hands.

At eleven o'clock on Saturday night the jury retired ; and as the clock of St. Giles' struck twelve on *Sunday* morning, they gave this verdict—"The jury *unanimously* find for the pursuer, John Kingan, on all the issues, with damages against the defender, Robert Watson, FIVE HUNDRED POUNDS.

In the other and *second* case, viz., the case of Watson against Kingan, the jury were again ordered to be enclosed, in consequence of the previous arrangement on both sides of the bar ; and after one o'clock on Sunday morning, they returned this verdict—"The Jury *unanimously* find for Mr. Watson, with damages to him of ONE SHILLING."

This in effect was the triumph of Kingan over Watson. Indeed, the great disparity of the damages—the wide difference between them—showed on what side the triumph lay pretty conclusively.

All Glasgow was in a blaze at the result. Some damned the jury ; others applauded them to the echo ; but poor Mr. Kingan, notwithstanding of this result, was still insulted and traduced most shamefully—more so

indeed than he had ever been ! His life, in fact, was made almost as miserable to him out of doors as was the life of poor old James Fleming, accused of the foul murder of Jessie M'Pherson ! But see how events turn up.

Many well-meaning people in this city, but jumping to rash conclusions, believed the evidence of Kingan's late servant, Margaret Patrick, much farther than it went, puerile though it was against her master ; but that they said there was *a great deal under it* against "the old rascal John Kingan." So he was characterised, lampooned, and placarded. Yet, we venture to assert, that a more accomplished and honourable man in every point of view rarely existed within our city walls. We say this from positive knowledge, and anxious inquiries respecting him—some of which, on irrefragable evidence which no person on earth can deny, will enable us to establish the fact that he entertained the kindest feelings towards the city of Glasgow at large, notwithstanding of the cruel and aggravating treatment he received ; for he left to the Merchants' Hall of Glasgow, and there are engrafted on its records a gift from John Kingan, which of itself may carry down his name to posterity with some glow of gratitude from children yet unborn ; and we are only performing a very feeble but righteous duty now, in lifting our testimony for an injured man in this way. Is there a citizen amongst us who can rudely assail us for so doing, after our story is finished and completed ? There are, we know, several, who may yet feel chagrined at the notice we have taken of some of these things ; but if there be any chapters in Glasgow history requiring elucidation or worthy of being commented upon, it is assuredly this chapter of Kingan against Watson, or Watson against Kingan.

In resuming it, be it therefore remembered by our readers, that the female witness Patrick left off her evidence by saying, that "she was once in Mr. Kingan's dining-room when she saw him *dictating letters* to his housekeeper, Mrs. Crosswhaite." From this it was inferred by the inflated tongue of scandal against Kingan, that Mrs. Crosswhaite was his amanuensis, and that she actually wrote some of the infamous letters to his dictation!

We state the undoubted fact now, that Mrs. Crosswhaite—a virtuous and most respectable woman—was eagerly sought out as a witness for Mr. Watson against Kingan; but although she attended as she was obliged to do, on her summons as a witness for Mr. Watson on that trial, his counsel, perhaps better advised, did not venture to call her before the jury!

Here it now is, that the plain, straightforward evidence of Mr. Robert Dalglish, which we have already alluded to, comes directly into play, and as to which we have a very few extraordinary words to say.

Our readers will also please to remember his emphatic statement when first called as a witness for Mr. Kingan, "that he (Mr. Dalglish) had never received any letters from Mr. Kingan in all his life." This, from a gentleman in the high and honourable position of Mr. Robert Dalglish, was deemed, as we have already stated, condemnatory evidence of the servant girl Patrick, when she spoke of carrying the letters addressed by Mr. Kingan to Mr. Dalglish and others, and depositing them in the Glasgow Post-office.

Yet, strange to say, no sooner was the trial over, and the evidence of Mr. Dalglish read in the Edinburgh and Glasgow newspapers, than his own son, the late respected

and well-known Mr. Stevenson Dalglish, to the horror and amazement of his father, communicated to him the fact that his evidence was worth nothing, inasmuch as while he, the old gentleman, Mr. Dalglish, was away in London for some time in the month of April and May, 1825, *two letters had actually been received at his house from Mr. Kingan direct.* This, therefore (if true or unexplained), entirely demolished the evidence of the old respected gentleman, and set up or confirmed the evidence of the despised female servant, M. Patrick. This astounding discovery *after* the trial, depressed for a short while the spirits of many of Mr. Kingan's most ardent friends. Some of them began to waver and to doubt that Mr. Kingan had been *too thick* with Mrs. Crosswhaite ; that she must have written some of the letters ; and that the servant girl had really gone with them to the post-office. While, on the other hand, Mr. Watson's friends, notwithstanding of the damaging nature of the verdict of the jury with £500 to one shilling, were in an ecstacy of joy and excitement, thinking they had now Kingan fairly by the neck.

#### CHAPTER VII.—APPLICATION FOR A NEW TRIAL.

THEREFORE a petition was lodged for Mr. Watson in the Jury Court, or an appeal was then made by him through his counsel and agents that *a new trial* should be ordered to take place, on the ground that the verdict was contrary to the evidence, and that Mr. Robert Dalglish in particular would have an opportunity of *correcting* his former evidence, &c., &c. Vast pleadings—ponderous affidavits were made on this point—some of which we have recently read with astonishment. The Court for many weeks heard many long arguments addressed to them by the

learned counsel on both sides, and were at one time apparently much puzzled with the case. We shall dispose of it now, and very clearly and satisfactorily at this stage, in a very few words, distracting though it was to the parties themselves and many others long ago. It is singular how the lapse of *time* only leads in some cases to the more perfect establishment of the *truth*.

The truth then is, that two *printed* circulars, announcing the dissolution of the eminent firm of Messrs. King & Cowan, physicians in Glasgow, in which Mr. Kingan felt a deep interest, were addressed by Mr. Kingan to Mr. Robert Dalglish. These were actually the very letters referred to by the witness Patrick ! They were not anonymous letters—quite the reverse—neither were they in the hand-writing of Mr. Kingan. They were simply addressed by him on the back, with a note respectfully calling attention to them, as many parties might do surely for their friends or their well-wishers. There was assuredly no disguise whatever about them—no insinuation, no scandal against any human being either in Glasgow or Govan or anywhere else. Yet these letters were urged against Kingan as evidence to warrant a new trial against him !

'Tis almost incredible to view this in the light we are now truly presenting it to our readers. Mr. Kingan, of course, through his eloquent counsel, Francis Jeffrey and James Moncrieff, RESISTED the application of Mr. Watson and his counsel for a new trial. Mr. John Hope, then the young Solicitor General of Scotland, and displaying his energetic talents, was now brought into the case to plead with Henry Cockburn in this application ; but the very *resistance* made to it by Kingan, only conspired the more to *run him down* in Glasgow. His

enemies said he was not an innocent but a guilty man, who could thus *resist* the application for a new trial—a plausible remark, certainly—but plausibility sometimes does not carry either wisdom or truth within its folds. It was the undoubted privilege of Mr. Kingan to defend the verdict of his jury, and not allow it to be upset by any stratagem ; and neither in reason nor in justice should he have been blamed for doing so ; yet he had to stand the bitter blasts of his adversaries in not allowing his character to be stabbed again anew !

Pending this keen discussion for the new trial, Mrs. Crossthwaite, the late housekeeper of Mr. Kingan, appeared and solemnly swore by affidavit that she had never written anonymous letters to Mr. Kingan's dictation in all her life. She admitted so far in confirmation of Margaret Patrick's statement, that she had once written in the dining-room of Mr. Kingan at his request ; but she explained that this was in making an inventory of his table napery prior to the arrival of his next housekeeper, and that nothing else had ever occurred between them in the way of writing. Mr. Kingan himself always wrote his own letters.

After many other almost interminable stages of judicial procedure, with which we shall not longer fatigue our readers, the Lords Commissioners of the Jury Court in the end of June, 1828, ordered the case to be enrolled for advising. The Judges intimated that they would take time to deliver judgment “on this most important case to all parties.” On the 20th of July, 1828, the Lord Chief Commissioner, in an elaborate speech, concurred in by all his fellow judges, *refused* the motion for a new trial, and affirmed the previous verdicts of the jury.

This, therefore, finally settled the case in that Court ;

and now, in *justice*, Mr. Kingan should have been cordially restored to his former *status* in Glasgow. But he was most cruelly and sulkily received even by many of his former friends—

Deserted in his utmost need  
By those his former bounty fed.

The *banking* interest in certain places was all powerful against him. Mr. Edward Walkinshaw had plucked Messrs. Watson's bank by worthless bills to the extent of nearly £20,000. Mr. Kingan, who had no bills at all, was literally groaned at, and insulted over and over on the streets. He at last took this very much to heart, as any gentleman of fine honourable feelings might well do ; therefore he broke up his establishment in St. Vincent Street, which he had built for himself and wherein he expected to die, and bade adieu to Glasgow, and retired to England, scorning his enemies, but remembering his faithful friends, and leaving afterwards, as has been said, a tribute to the Merchants' House of Glasgow, of which he was then one of the oldest members. He was for many years the oldest member of the Sons of the Clergy in Scotland, his father in the last century having been the minister of the parish of Crawfordjohn.

The retirement of Mr. John Kingan from Glasgow added nothing to the comfort of Mr. Robert Watson—amiable though that gentleman was in the truest sense. One series of misfortune after another overtook him speedily on the back of this trial. His bank was broken into and robbed, and one man, viz., William Heath, was executed for doing so. Vast sums of money were pillaged from, or lost by him. The previous great banking establishment of Messrs. James and Robert Watson—

always conducted by themselves on the most upright and honourable principles, and deemed to be impregnable —had ultimately to quail before the storm, and became extinguished. The pretty estate and house of Linthouse, which Mr. Watson built, and on which he had set his heart along with his family, came for sale into the public market. It was bought by Mr. Michael Rowand, of the Ship Bank, as already noticed ; and finally Mr. Robert Watson, the quiet inoffensive gentleman, literally died of a broken heart, as was believed by many, in the year 1832, deeply lamented. The damages and expenses in these actions must have cost him an enormous sum of money. Who can paint the anxiety, or paint the grief they occasioned also to him ? We would fain draw a veil over some of these matters. But there is another duty devolving upon us about them which we proceed to discharge for the honour and the fair fame of Glasgow. It will astonish some of our readers we dare say.

First let us here mention the remarkable fact, that Mr. James Oswald, who first unfortunately accused Mr. Watson, had his own share of misfortunes. His once great and flourishing house of Oswald, Stevenson & Co., and Oswald, Tennant & Co., went to the wall from no fault of his, but from a train of rapid commercial misfortunes connected with India. His fine patrimonial estate of Shieldhall, which had long been in his family, came also into the market ; and, singular enough, it was purchased by Mr. Alexander Johnston, who originally came from Campbeltown as a poor boy to Glasgow. He had the great good fortune, by dint of his own merit, and the early patronage of old Mr. James Dennistoun of the Glasgow Bank, to found the eminent house of Messrs. Johnston, Galbraith & Co. His worthy and respected

partner, Mr. Andrew Galbraith, still survives ; and every Campbeltown man, and every Glasgow citizen, may be proud to hear the fact recorded that within the last few years Mr. Andrew Galbraith was Lord Provost of this city, and hailed her Majesty the Queen at the opening of the stupendous Glasgow Water-works at Loch Katrine. It may be interesting further, and most honourable to know, and to encourage almost every friendless youth coming to Glasgow, that Mr. Alexander Johnston above named arose to become one of the most active magistrates of this city ; and what is better, he actually arose to become the representative in Parliament of the Kilmarnock District of Burghs. Nor must we omit to add that Mr. Oswald succeeded to the splendid estate of Auchincruive, worth at least £20,000 per annum. His nephew now inherits it ; and his career in Parliament was most creditable to himself and eminently honourable to this his native city of Glasgow. No man from Scotland was so much respected in the first Reformed House of Commons as Mr. James Oswald, M.P. for Glasgow. There is an admirable bronze statue of him by Baron Morochetti, got up by a few friends, and placed at Charing Cross, Sauchiehall Street, Glasgow. The likeness of him is unmistakable to all who knew or remember him.

We are now to wind up this long diversified story in the strangest way imaginable. Our readers can scarcely have any idea of it till we come to the close.

#### CHAPTER VIII.—THE GUILTY WOMAN—THE ANONYMOUS CULPRIT.

“ Woman—thy name is frailty !”

FROM these long previous details, our careful readers may remember that we introduced to them at an early period

of this Reminiscence a lady of the name of Miss Catherine Hutton, residing at the house of her respected relative, old George Rowand, Esq., of Holmfauldhead. She was a tall handsome woman—a real beauty of her day ; but at the period when these anonymous letters were written, she was well stricken with years—forty at least. It is a singular fact in this story, but it is true, that as often as anonymous letters came to Mr. Rowand or the Oswald family, there was sure to be one to Miss Hutton herself ; and she joined them in all their indignant and bitter complaints against the calumnious writer, whoever he might be, whether “Vinegar” or not. This, therefore, completely disarmed all suspicion against herself ; besides her own character was actually attacked in one of these epistles which she had so received ! This lady, we may remark, had many opportunities of visiting Glasgow, and going to its post-office, as also to Renfrew, and the post-office there, from whence some of the letters proceeded ; and being on the spot, it was of course perfectly easy for her to throw in letters to Mr. Rowand’s own barn without detection. She was the very party, we think, which Mr. Francis Jeffrey must have had in his mind’s eye, and so graphically depicted, when he opened the case to the Jury on behalf of Mr. Kingan. But still, as she was one of his own witnesses, it was not his duty at that stage of the proceedings to assail or knock her down.

At the trial she manifested no alarm. She was calm and dignified in the extreme. We have often thought that Mr. Henry Cockburn, in his cross-examination of her for Mr. Watson, might have caught her like an eel ; but probably he had no idea that she was a *serpent*, otherwise, we think, he might have crushed her most strikingly at the moment. For she had sworn in answer

to one of his questions, as we find from the printed report of the trial, that “she had *always an impression that the letters were written by a person in the neighbourhood*—but that there was nothing in them to prevent their having been written by a person in Glasgow.” These were her words, and Mr. Cockburn sat down contented with the statement, putting no further questions to her.

Had he followed it up at the point just left off—had he boldly asked her to *name* the person in the neighbourhood she had thus alluded to, she must have been driven into a corner, and paused with trepidation. She must, we think, have been utterly confounded at that moment, had the shrewd advocate, glancing at her with his piercing eyes, put to her this special other question—“Madam, if you cannot, or will not *name* the party, I ask you on your oath to say whether you are not the author of these anonymous letters, or any of them ?” She must, we again think, at that vital point, have sank down on her seat, afraid of detection, terrified with guilt. And if so, what a scene then in court ! What a sensation in that crowded place ! What a thrill through Glasgow ! Kingan and Watson, methinks, would have arisen and clasped each other in their arms, forgetting and forgiving their errors about these fatal and infernal letters, and resuming all the glow of wonted friendship, while the enemies or the partizans of both, including the engravers, would have been abashed, or heartily ashamed of themselves for the parts they had enacted.

Yet Miss Hutton for a length of years escaped !

On the other hand, Miss Margaret Currie, then of the Buck’s Head Hotel, Glasgow, who happened to reside occasionally at Broomloan, near Govan, with her father-in-law, Mr. Peter Jardine, who had married her mother,

Mrs. Currie of the Buck's Head,—a most dashing young lady Miss Currie was, as all who lived in Glasgow forty years ago may remember, and with whom we are not ashamed to say we have often danced in early life; she, so sprightly, but correct in all her deportment, was actually suspected by many as answering the description in Mr. Jeffrey's speech, and coming within the folds of Miss Catherine Hutton's evidence, viz., that "she had an impression they were written by a person in the neighbourhood,"—for Broomloan was in the neighbourhood certainly. But Miss Currie, perfectly aware of the groundless suspicion against her, only laughed them to scorn, and she outlived them all. We mention this in justice to her memory.

But at last, in process of time, Miss Hutton herself came to be spoken of. It is singular that no *clue* was ever obtained to her genuine handwriting. She had not, we may remark, been very long in the parish ere these anonymous letters first made their appearance. She corresponded with no one in it. All her correspondence was in personal visits. Her undisguised genuine handwriting, therefore, with her proper name thereto attached, was not to be found within the four corners of the parish. This, of course, if she were really the author of the anonymous letters, gave her the greater confidence, and the greater power, to avoid detection; yet, it is marvellous how a small bit of incident sometimes clears up the greatest mystification, and detects the gravest crime, just as the small cloud on the summer sky indicates the gathering storm.

We now fasten upon one of these anonymous letters produced in process addressed to Miss Hutton herself—and we are mistaken if some of our readers will not at

least coincide with us in the opinion that it brings home the guilt conclusively to Miss Hutton herself, although it escaped the lynx eye of many abler critics. We may observe that not a few of the words in this first anonymous letter which we are now bringing to light, are obviously and purposely *mis-spelt*, in order to cloak the suspicion that she,—an accomplished and well-educated lady,—could really be the writer. But mark the words. It sets out with saying—

“ MY DEAR MADAM,—This is now the *third* time I address you ; but be not alarmed, dear Madam. I now address you with a very different feeling from I dide befor (*sic orig.*) Believe me nothing is more painfull than a convixion we have acktid wrong (*sic orig.*) ; this I have no hesitation in declaring I have done in regard to you ; but I am afraid nothing I can now say after what I have done can ever amend things, but rather widen the breach. Would I hade never hade anything to doe anoneys letters (*sic orig.*) But what is done can never be recalled. I shall merely state to you the manner I was led to do so. Finding myself lonely one evening, I went to spind the evening with my friend Mr. M—— They were going to a tea-party,” &c., &c.

Is not that, we ask, very like the letter of a female to a female ? It is Miss Hutton to Miss Hutton herself. It is the *third*, or the last, observe, of a series of letters she pretended to have received. There is a long rigmarole story in it respecting old Mr. George Rowand’s supposed marriage with another lady in the parish ; but it concludes with this remarkable passage :—“ As for M. (Miss) Hutton, I must confess she is so great a favourite of mine that I am perhaps tow partiall (*sic orig.*) to give her a just charictur. She is, however, all must allow, a woman, singular elegance of manners, and of so pleasing a kind, that from the eldest to the youngest of our familly they are all fond of her.”

There is no “*Vinegar*” in this part of the dialogue. It is *Eve* in disguise speaking to herself. It is Miss Hutton in reality flattering herself all over. Yet the critic’s hand can now most easily detect the *serpent’s* guile. She loses herself in the affected disguise. She speaks of “her” in place of “you.” Her very cunning shows that she is Miss Hutton whom she is addressing. Her own hand records her own name—refers to her own letters—demonstrates now her own guilt about them all. Well, therefore, might she upbraid herself, and exclaim, when secretly sitting down to pen that last letter to herself, and get it cunningly sent through the Glasgow post-office, of date 5th August, 1823, under cover to Mr. George Rowand, with whom she resided ;—well, we say, might she exclaim, in that last *third* letter to herself which we have now hit upon, and here transcribe into better spelling and good grammar :—“*Would I never had anything to do with anonymous letters ; but what is done can never be recalled.*” Truer words than these Miss Hutton never penned.

This is worse in many respects than the Glenboag case lately reported in the High Court of Justiciary. But we are not yet done with it. There is an amusing and a sorrowful passage to be told still about it, which may interest our readers a little longer.

CHAPTER IX.—THE FINALE—THE SQUIBS AND PROPHECIES ABOUT  
THE LADY-WRITER, MISS HUTTON.

WITH all her cunning, mingled with her wickedness, Miss Catherine Hutton did not and could not escape detection. Many years after the trial, our old sagacious, accomplished, and highly intelligent friend, Mr. Robert Malcolm, who conducted the Glasgow *Scots Times* newspaper as its editor, with great eclat, as many may still remem-

ber, especially in the year 1830 and downwards ; but it has been snuffed out as other papers have been in the race of competition by the penny daily papers—showing that even the *Press* itself must undergo changes and revolutions, and is rarely rewarded for all its pains and battles in the public service. Mr. Robert Malcolm, we say, who frequently travelled to Govan, and knew the greater part of its inhabitants in those days very well, formed the strong opinion—but dared not to express it in so many precise words—that Miss Catherine Hutton was the undoubted authoress of all those most scandalous and abominable letters that had created such havoc between Kingan and Watson and other parties. Yet without naming her, he ventured to publish the following leader in the *Scots Times* many years ago, which again set the city—and especially the lingering friends of Kingan and Watson—into the highest state of fresh furor :—

“ It is perhaps little complimentary (said Mr. Malcolm) to the penetration of Messrs. Oswald, Finlay, M’Intosh, Aitken, Watson, and Kingan, and though last not least, to our acute friend (Samuel Hunter) the Editor of the *Herald*, to tell them at this time of the day that they have all been bamboozled by a Village Politician in Petticoats. But we (says the *Scots Times*) may remind them that they are not the first great men in the world who have been similarly deceived.” This went like a bombshell through Govan. Its very splinters, if we may so call them, pierced through and through the old Tonine Coffee-room, making every one of its members and subscribers to talk and wonder, and recur again to the memorable trial in Edinburgh. But the following *squib*, published by Mr. Malcolm in his newspaper, set the parish itself in a blaze :—

“O, Govan lairds have a’ been wud,  
 And other lairds have a’ been blin’,  
 Or they would ne’er have been so fooled  
 By the airts o’ Kitty Kittlefin.  
 Kittlefin! Kittlefin!  
 The airts o’ Kitty Kittlefin!”

The above squib, or ditty, or call it what you please, reached the ears of Miss Catherine Hutton herself at Govan. She was still in Mr. Rowand’s house, and she went up and down the parish, and, amongst others, she called on the village schoolmaster, the respected Mr. William Gibson (we heard this from himself), questioning whether any of them had heard the accusations against her, and loudly complaining that in Glasgow they were now calling her Kitty Kittlefin—the quaint misnomer, as our readers will perceive, for Katty or Catherine Hutton—and eager to know who could be the author, or would any of them really *dare* to accuse her. She received, however, little encouragement and less support in her protestations of innocence in Govan. The parish, indeed, became rather hot and decided in opinion against her. She had, however, a well filled purse—upwards of £2000—and she threatened Mr. Malcolm with the full vengeance of the law by prosecuting him in an action of damages, if he dared to publish anything more about her in his paper. We may as well give the whole of Mr. Malcolm’s original and racy squib, as follows:—

THE GOVAN GARLAND, OR GREAT NEWS FOR THE GOSSIPS.

TUNE—“The University of Gothingen.”

In eighteen hundred and twenty-two,  
 A virgin rose of great renown,  
 Whose nose was long, whose hose were blue,  
 Whose morals crooked were, we trow,

Whose residence was in the Su-  
burbs western of long Govan town.

This damsel lacked employment due,  
And, daily swath'd in mantle brown,  
To the city hied for something new,  
No matter whether false or true,  
Enough if it did mischief brew  
In Glasgow or in Govan town.

Of female friends she had but few,  
Each had from her acquaintance flown,  
For pictures of them all she drew  
And held them up to public view,  
A worthless, wicked, wanton crew,  
In Glasgow and in Govan town.

To secrets all she got the clew,  
By pumping hard each wench and clown,  
Whatever lady was a shrew,  
What lord took too much "mountain dew,"  
And this and more than this she knew  
Of Glasgow and of Govan town.

Such stories did she still construe,  
And chronicle in style her own,  
To barn-yard, or post-office threw  
Th' epistles vile, and then withdrew,  
To quarters snug, known but to few  
In Glasgow or in Govan town.

Oh, could we but the law eschew,  
Which truth so oft by force puts down,  
Then would we fearlessly pursue  
This female viper, and upclew  
The veil that hides her from the view  
Of Glasgow and of Govan town.

But *Time*, which spares not us nor you,  
Shall death to her at length bring round ;  
With anguish then her soul shall rue

The misery and the pain she drew  
On women, men, and children too  
In Glasgow and in Govan town.

It is a sad fact that in this predicament, and in her advancing old age, this infatuated lady lost every sixpence of her money by one who figured prominently in some of these transactions, and spat his venom on Mr. Kingan latterly—but we name him not, from the regard we entertain for some of his surviving friends.

More singular is it still, Dr. James Brown of the Faculty of Advocates in Edinburgh, who edited the *Caledonian Mercury*—the oldest newspaper still extant in Scotland—made the following remarkable PROPHETIC in one of his books upwards of thirty years ago. We beg our readers to notice it, in reference to these present Reminiscences from our own pen.

“ Time, and that Providence (says Dr. Brown), which sooner or later unmasks the hidden workings of iniquity, will, he doubts not, bring the real delinquent who wrote these anonymous letters to light ; and till that be accomplished, the great ends of justice will not be fully attained. But he feels that it is no prerogative of his to search out the miscreant whose veiled iniquity has been productive of so much mischief and misery ; and he willingly leaves the guilty to those thorns, which in his or her bosom lodge ; *and to that sure and not very distant detection which he confidently anticipates*—(vide Dr. Brown’s Preface to the Kingan trial in Edinburgh, year 1828).

#### THE FINALE.

We are now bringing, for it has devolved on no others to do it, the above prophecy of Dr. James Brown to pass, by

a chain of circumstances, and by a stunning blow, which we ourselves witnessed, respecting Miss Catherine Hutton herself. In the autumn of the year 1844—nearly twenty-two years ago—and fully fifteen years after the trial itself was over in Edinburgh, it fell to our lot to be walking down one day to Govan in company with our excellent and honourable friend, the late George Salmond, Esq., who was for many years the Procurator-Fiscal of this great city and county. Many criminal investigations did he make; many criminal trials of vast magnitude did he conduct in their incipient state ; and he left the world respected and without a stain, some few years ago,—no criminal, or any other person that we are aware of, ever taxing him with perfidy, or dereliction of duty, or improper management in any case. On the occasion referred to, Mr. Salmond stopped for a moment on the high road directly opposite the house of old Mr. George Rowand, at Holmfauldhead, and viewed it for its pretty outside appearance. “Stop a bit,” said he, “I’ll just go in and pay my respects to the old gentleman,” whom he knew very well. “God bless me,” said Mr. Rowand to Miss Hutton, then at his elbow, “here’s Mr. Salmond, *the Fiscal*, coming to us.” She shrieked out “*O these letters!*” and she fell down in a fainting fit, and never rose again the same woman. She became paralysed and soon died, and was quietly buried in the churchyard of Govan on the 4th day of October, 1845. There is no stone to mark her grave, but the following record of her death is extracted by us from the session books of the parish:—

“Catherine Hutton—date of burial, October 4th, 1845, aged 70.  
Died of paralysis. Residence at Holmfauldhead.”

Thus we have concluded our very long, and as some, we are afraid, may think, very idle and insignificant story.

We have proved, we think, and demonstrated, beyond all reasonable doubt, that Mr. John Kingan was wholly innocent, that Mr. Robert Watson was grievously misled, while we have fastened down the guilt upon really the guilty party. If any one shall challenge us for further evidence upon this point, we are prepared to bring it out.

We shall not here say whether this has been an agreeable or disagreeable task to us in several particulars. If, in spite of vast prejudice, long and perversely entertained, we have established the perfect innocence of a deeply injured man only recently gone to his great account; if we have been the humble means in any way of dispelling the dark clouds which lowered about our city respecting these trials so many years ago, we may rest contented with our labours. Nor is the narration of this case in our hands, whether we have handled it properly or not, altogether without its solemn and salutary warning. Beware, ye “anonymous letter writers,” who lurk about the city and other places—if such there be. “Beware of such dastardly and cowardly conduct.” It can have no excuse for any upright gentleman; none for any virtuous or esteemed lady. The rash, scandalous, and wicked letters of Miss Catherine Hutton might have gratified herself at the moment, though these distressed many exalted and esteemed families, and brought grief, desolation, and woe into the previous happy homes of some, and broke them finally up in this world beyond any redress they could find in it. But what did she *gain* by that?

Her case therefore, as now presented, is infinitely worse than the case of that wretched girl to which we have alluded, who was tried within the last few weeks before the High Court of Justiciary, for her anonymous letters in the parish of Dunbog; and yet there are some strong

points of resemblance between the two cases. These letters written at Dunbog were calculated to wound or destroy the unsullied character of the Rev. Mr. Edgar, the recently inducted minister of that parish, or to mar his influence or damage his faithful friends and supporters in that quarter. We all know it is a matter of recent notoriety that an innocent man was shamefully and cruelly accused in that case, on evidence apparently as strong in some of its aspects, if not greatly more so, than had ever occurred or been imputed to the innocent Mr. John Kingan in Glasgow. That innocent and respectable man, at Dunbog, as we take him to be, was actually seized and indicted, and stood arraigned at the bar of the Court of Justiciary at the very last circuit in Perth, as being the author of the Dunbog damnable letters referred to. We have no other term with which to characterise them. Evidence apparently was coming out against him in some points tenfold more strongly, we repeat, than any adduced against Kingan, when, to the astonishment of everybody in Court, forward came the unblushing girl referred to, and openly avowed and confessed that she was the guilty person, the real author of these anonymous letters so brimful of wickedness and atrocity, and consequently, that the accused prisoner at the bar was entirely innocent of them. There was, we must say, not cowardice, but some degree of heroism here, which, if we cannot applaud, we cannot for the truth's sake condemn, seeing that it shielded the innocent and brought home the guilt to its own guilty door, wherein, strange to say, as in the case of Miss Hutton, it had never previously been suspected by any in all that parish of Dunbog.

This wretched culprit—this clever, yet diabolical servant girl—who had done all the mischief in the hitherto

quiet parish of Dunbog in Fifeshire, was very properly transferred to answer for her conduct to the High Court of Justiciary in Edinburgh. She pled guilty, and the Right Honourable Judges of the Court, with the approbation, we doubt not, of the whole country, sentenced her to undergo *penal servitude* for the period of five years, a sentence which, we take leave to say in this place, was not too severe, and by no means undeserved.

Had Miss Catherine Hutton, possessed of superior education and higher accomplishments, and with a much more diversified but greater range of base, wicked, and diabolical letters at her disposal,—had she stepped forward as this servant girl did at the eleventh hour, or at the period when Messrs. Kingan and Watson were engaged in almost mortal strife, pleading for their character, which was dearer to them than life itself, and acknowledged her own hand-writing in connection with these letters, what *penal* pains might have befallen her! Yet, what incalculable blessings would in all probability have happened to the injured and calumniated parties now sleeping in their graves! Friendships severed would have been renewed afresh; wounds inflicted, tender ties wrenched and riven would have been healed up; and ruin, desolation, and woe would have been averted which now only can be lamented and deplored!

It is therefore, whatever others may think, for the *true* character of our noble city in all its social and domestic elements, that we bring out these reminiscences. But if we were to toll now the funeral bell, or to ring out the *requiem* of Miss Catherine Hutton herself—if we were to put, or could put, an extinguisher for ever on this remarkable story, or leave it to tell with any effect on future times—if we could lift the veil, or pierce, or wit-

ness the pangs, which we fear ultimately gnawed her once virtuous but then troubled bosom—if we could only dispel one small item of these deeds of darkness which she committed by these letters; or finally, if we were to sum up the whole case, we would only best do so in her own *last* emphatic words,

“OH! THESE LETTERS—THESE LETTERS!”

## CHAPTER XIV.

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THE EXTRAORDINARY ROBBERY OF THE EDINBURGH EXCISE OFFICE—THE CASE OF BRODIE AND SMITH, CONDEMNED TO DEATH—SCENE BETWEEN JOHN CLERK, ESQ., ADVOCATE, AND LORD BRAXFIELD, IN THE HIGH COURT OF JUSTICIARY, &c.

THE marvellous story we are now about to relate to our readers occurred in the year 1788, that is, nearly eighty years ago, before we were born. Of course we can tell nothing about it from personal knowledge at the time, but one of the agents of one of the prisoners intimately connected with it was the late *Æneas Morrison*, Esq., grandfather of the present Mr. Archd. Robertson, manager of the Royal Bank in Glasgow. He used often to tell us the story in our younger days, more than forty years ago. It made a very vivid impression on us at the time, not yet effaced. Mr. Morrison was pleased to present us in the year 1816 with a pamphlet published about it by Mr. William Creech of Edinburgh, long previous to that date; but he stated to us this fact, that the pamphlet did not contain anything about, but purposely concealed, for fear of offending the judges, a most interesting scene in the Justiciary Court between the famous John

Clerk, Esq., of Eldon, advocate, and the equally famous Lord Justice-Clerk Braxfield. It was Mr. Clerk's *first* or earliest appearance in any case of importance in the Justiciary Court. It was "the making of him" at the bar, as his first clerk and friend, Mr. Morrison, used to observe; and with the original notes on that pamphlet, given to us as we have just stated, by Mr. Morrison himself in the year 1816, we are enabled to brush up our memory pretty accurately, we think, with what follows, which may amuse or divert some of our readers; and if we neglected this opportunity, the occasion might die away with ourselves.

We may first observe that this now rare pamphlet, embracing the trial of William Brodie and George Smith before the High Court of Justiciary in Edinburgh on 27th August, 1788, contains a striking likeness, as Mr. Morrison declared to us, of both persons, and was amongst the very first sketches taken by Mr. Kay, the afterwards celebrated painter or sketcher in Edinburgh. Kay's portraits have now a wide world fame. We remember his shop perfectly, and of seeing the man and his wife in the old Parliament Square, which shop and others stood on the very site which now forms the present spacious entrance to the Court of Justiciary. There were other *shops* ranged at the opposite side of the square, under the very walls of St. Giles. What changes have since taken place in Edinburgh touching that Court, and that Square, and other things!

Mr. Morrison used also to tell us, and the fact undoubtedly is, that frequent *robberies* of a most daring and extraordinary kind were perpetrated in the city of Edinburgh towards the close of the year 1787 and the beginning of the year 1788. For instance, the valuable jeweller's shop

of Messrs. John and Andrew Bruce, and the valuable silk mercery shop of Messrs. Gilchrist and Co., and others, were effectually broken into and robbed of much of their valuable property. But the robbers were not discovered ; and the whole city of Edinburgh, and the whole kingdom of Scotland became astonished and fired with indignation at the then announcement of the following robbery. It was the robbery of the University of Edinburgh, by the abstraction of the ancient gold and silver *Mace*, of great value ; and it was thought the robbers had *melted* the mace for the sake of its *extrinsic* value in their wicked eyes.

Our story now concerns the more audacious robbery of the great Excise or Custom House of Edinburgh, representing all the agencies of the Kingdom.

Vast sums of money were remitted to it in those days, but vaster sums have been remitted to Edinburgh and from thence to London in modern times. The Excise Office at the period we are now to speak about, viz., the year 1788, was situated near the head of the Canongate, not far from the east-west corner of the North Bridge. We have no recollection of its precise locality, though we spent much of our time in Edinburgh in early life—but this is immaterial. It is enough to know that the Edinburgh Excise Office was a great house and a great establishment. It was also well guarded. There were no police officers, properly so called, in Edinburgh at that period. There was the old ancient “Town’s Guard,” consisting of some sixty or seventy men, who used to attend muster at St. Giles’ Church ; and a queer set they were, chiefly Highlanders well versed in the ’45, the year of the great rebellion, which brought them indeed to Edinburgh.

This Excise Office was regularly opened every morning (Sunday excepted) at nine o'clock, and as regularly shut at eight of the evening, when it was the duty of the *Caddy* or chief porter of the establishment to carry home the important keys of the establishment to the house of Mr. Thomson, the secretary of the Excise ; and precisely at ten o'clock of the evening *the night guard*, or watchman of the Excise, came upon his duty at the entrance or chief gate of the office, and remained stationed there till seven o'clock of the following morning, when he left

We call attention to this fact, that from eight to ten o'clock of the evening the Excise Office might be supposed to be in a state of quiet slumber—all the business of the day having been dispatched and settled. It only remained for the *Caddy*—the favourite name by which our Glasgow *porters* in Edinburgh are best known—to lock up the gates of the outer apartments and to proceed with them, as we have stated, to the secretary's house, and there deliver them up.

At this period there were at least *four* very extraordinary characters in Edinburgh, whom we must now introduce in the best way we can to our readers. The first and foremost of these was *Deacon* William Brodie. He was deacon of the Incorporation of Wrights or Hammermen in Edinburgh. He was, moreover, a member of the Town Council of Edinburgh. He was an educated man, was supposed to have plenty of the world's goods and gear, was proprietor of some houses in Edinburgh, and altogether in a most flourishing and respectable way of business. But privately he was addicted to *gambling*, was a great dog and cock fighter, and always in ploys of that description, which were then too frequent, we are sorry to remark, in some parts of the old city. The

*second* character we have to introduce was George Smith, a native of Berks in England. He had come to Edinburgh with his wife, was a sort of horse-couper, or trumper or pedlar through the country, and being successful in some of his enterprises, he settled down, and became a wholesale grocer and spirit dealer in the Cowgate of Edinburgh. The *third* was Andrew Ainslie, a well-known boot and shoemaker in Edinburgh in those days; and the *fourth* was John Brown, *alias* Humphrey Moore, who was perhaps the most dashing and daring of the whole. He might be said to be “the Jack of all trades” and the master of none; an accomplished villain in fact, who lived by gambling, theft, and swindling, and who had previously been convicted in England, and transported thence, but had contrived to make his escape.

These *four* characters came at first accidentally to meet in the house of one Michael Henderson, a vintner in the Grassmarket of Edinburgh, where gambling by cards and dice and other things was notoriously carried on; but although there was much disparity between them in some respects, yet the *four* worthies soon became knit and wonderfully attached to each other. In point of fact, they had planned the great robberies referred to, and carried them into execution; but whilst Smith and Ainslie and Brown were *suspected* of doing so, and were for a time narrowly watched by the authorities, no human being in Edinburgh entertained the slightest suspicion against *Deacon* William Brodie. He resided in a fine house in the Lawnmarket, kept by two amiable sisters; but the Deacon also kept another establishment, which we need not refer to in this part of our narrative at present.

Being so very successful in these preceding robberies—

the spoil of which they had ingeniously but faithfully divided amongst themselves—the *four* characters we have referred to, formed at last the daring resolution of attacking the Edinburgh Excise Office, and robbing it of its supposed valuable treasure. Deacon Brodie, we may remark, had frequently been in the Excise Office in the way of his business. He used to repair some of its locks and desks. He also used to meet there pretty frequently a relative of his own from Falkirk or Stirling, who, once or twice in the week, came to the capital to pay in his large collections, &c. In short, the Deacon knew all about the office, and its outer and inner chambers, but nobody ever dreamt or suspected for a moment that he was to employ that knowledge for any guilty purpose whatever.

The plan now concocted was this. They, the four parties, viz., Brodie, Smith, Ainslie, and Brown, were to meet in Smith's own comfortable house for supper between seven and eight o'clock of Wednesday evening, the 5th of March, 1788. Brodie had duplicates of some of the Excise keys already made and in his possession; therefore he was the *prime* mover in this affair. Smith was to furnish the dark lanterns, and Ainslie and Brown were to direct the instruments of physical force, if requisite, to the valuable desks and chests of the great establishment.

Two days before the robbery, *three* of these parties, viz., Smith, Ainslie, and Brown, with the exception of Deacon Brodie, who always took good care never to be seen in day light in their company, sallied out from Edinburgh to take a walk in the then Earl of Lothian's or Abercorn's grounds, near Duddingstone, and to cogitate on their other movements. They had with them a black Newfoundland dog, called, we think, "Rodney," after the

great Admiral of that name then fighting his battles at sea, and we draw attention to that circumstance, as showing one of the most wonderful links in the chain of evidence which afterwards appeared.

Those three desperadoes set themselves quietly down to rest for a little near one of the ploughed fields of the Earl. The *plough* of the Earl's farmer or servant stood unyoked, but it attracted their attention. They fancied that the iron *coulter* connected with it, lying on the ground, would be a capital instrument to help them in forcing open some of the doors or desks of the Excise Office, so they carried it away with them, or rather they *stole* it, greatly to the surprise and mortification of the poor farmer lad who had been recently using it for his honest agricultural pursuits. He had espied some *gentlemen*, as he thought, with their black dog, but surely they would never take away his harmless plough-share.

As we have stated, the *gang* of desperadoes met in Smith's house about eight o'clock of the memorable evening. Mr. Deacon Brodie, for a precautionary purpose, had doffed the *grey dress* in which he had been attired that day, and in which he had transacted some important genuine business in the Council Chambers of Edinburgh. He came to this night *soiree* or receptacle, if we may call it, in Smith's house, in a fine suit of black clothes, with his hair powdered and his cocked hat displayed, these being the insignias then worn by those in his station. His other more reckless and daring companions had cloaks or great coats, wigs fitted to conceal their real hair, and dark crape to hide their well-known faces. They were all and each armed, so desperate was their purpose, with a brace of pistols, primed, and loaded with ball ; and we have on the margin of our pamphlet, now becoming more

interesting to us than ever, the following ditty, which Deacon Brodie sang to them before starting for the Excise Office—it is from M'Heath, in the Beggars' Opera :—

“ Let us take the road !  
Hark ! I hear the sound of coaches !  
The hour of attack approaches !  
To your arms, brave boys, and load ;  
See the ball I hold !  
Let the chemists toil like asses,  
Our fire their fire surpasses,  
And turns our lead to GOLD !”

The final arrangement now made amongst them seems to have been this. Ainslie, the bold shoemaker, was to proceed first and reconnoitre the Excise Office, and see that the *Caddy* and all the inmates had departed after the usual hour—eight o'clock. Smith was to follow, and open the outer doors with the false keys which Brodie had provided. Then, if that succeeded, Deacon Brodie himself was to enter, and following on his heels, Brown was next to enter, and, going forward to join Smith, already in the interior, they were then to approach the cashier's department, where the booty lay, force open the cashier's chests or desks, and secure that booty, which they confidently expected would amount to a vast sum.

On getting into the interior of the Excise Office, as they sanguinely expected they would soon do, and as they actually did without much difficulty, it was arranged that Deacon Brodie should stand within the lobby near the inner door, keeping his eye carefully on the main entrance, and that in case of any surprise or seizure, he should frankly declare that he was Deacon Brodie in his official or court dress, who had just called, looking after some parcel

he expected would have been left for him, as was sometimes done, by his friend the *Collector*, from Falkirk or Stirling—an ingenious device, certainly—and in the sprightly attire which he then wore, he could hardly be regarded by any one as a *robber*, even if he had been seized on the spot ; but would have been permitted to go home at once to his well-known residence.

On the other hand, it had also been arranged by this gang, including Brodie himself, that if Ainslie, who was the first invader of the premises, should discover any of the Excise officials about the place, or found them entering it, or saw them approaching, by any alarm whereby the safety of the robbers themselves might be in jeopardy, that then he (Ainslie) should blow a shrill whistle from an ivory instrument belonging to the Deacon, which the Deacon had put into his hands for that purpose. And again, if the position of the robbers should seem to be getting into increased jeopardy or danger to themselves, that he (Ainslie) was to blow *two* whistles ; if becoming eminently dangerous in the view of detection, he was to blow, with all his might, *three* whistles, and then the whole robbers, now in the inside, were to exercise their desperate weapons—their loaded pistols—without hesitation, and if these failed, they were to leap out from one of the back windows of the Excise Office, as their last chance of escape.

Singular enough—and most singular, indeed, for him it was—Mr. James Bonar, the deputy solicitor of Excise, whose life was providentially vouchsafed to him on this occasion, found it necessary to repair back to the Excise Office that evening. He thought he would be in time to catch the porter ere he closed the office at eight o'clock, and seeing the door standing *ajee*, or a little wide, he en-

tered, whistling and calling for the porter, never suspecting for one moment that there were any desperate robbers within it, so prepared ; but the porter not answering to Mr. Bonar's call, that gentleman retraced his steps, and rather in an angry mood *slammed* the outer door after him with a *birr*, as he afterwards called it, thinking that the porter might be loitering in the neighbourhood, whereas the honest man had been away with the keys, safely depositing them as usual in the secretary's house.

Deacon Brodie, however, from his isolated position espied Mr. Bonar entering the Excise Office, and knowing who he was—the agent of the Excise—thought it high time to make off; but the sound of these occurrences in the interior, where the other three robbers were actively engaged, alarmed them. Smith and Brown at that important juncture had already rifled the desk of one of the clerks, and taken out from it and pocketed some fourteen guinea notes, and they were in the very act of laying their hands on the cashier's box, containing, it is said, upwards of £10,000 sterling, when they were *scared*, and peeping out into the lobby, and perceiving that the Deacon had vanished or fled, they also took to their heels, and leaped out of one of the Excise back windows, and for a time escaped.

Thus *scared*, they left behind them their instruments, including the *plough-share*, taken from the field of Duddingstone, as above stated, and they also left behind them *purposely* on the floor, as was supposed, a very small but remarkable article, which came stoutly into evidence against them afterwards, namely, a horse *spur* with a leather buckle attached to it, as if recently used. It was part of the ingenuity of Deacon Brodie to take this one of his own *spurs* to the Excise Office, and drop it there,

thinking this would take off the Edinburgh *scent* from the Edinburgh robbers, and induce the Excise people to believe that the robbers were some daring *smugglers* or other from the country, who were in use to come into the city with their liquoris, under cloud of night, but were often caught and fined or otherwise punished by the Excise, and now *they* had been attempting to perpetrate the robbery !

The four robbers, so scared and bolting, repaired expeditiously to their rendezvous in Smith's house in the Canongate, each blaming the other for not getting more timeously at the cashier's desk with its valuable contents ; but as there is some honesty, it is said, sometimes amongst thieves, they quietly divided the spoil on this occasion in equal proportions, being £4 to each man, and they had a hearty supper over the head of it in Smith's house.

Of course the knowledge of this robbery or attempted great robbery soon spread all over Edinburgh and through the United Kingdom. It was an unprecedented thing to attack or rob the Excise Office, in the very heart of the capital itself. Therefore, on the following day the Lord Advocate, the Sheriff, and the Magistrates of Edinburgh met and offered a reward of one hundred guineas, besides his Majesty's free pardon to any one who should come forward and give such information to the Procurator-Fiscal of the city, as would lead to the apprehension and conviction of the perpetrators of this most audacious robbery.

Perceiving this proclamation posted in the streets of Edinburgh on Friday morning, the more audacious villain, John Brown *alias* Humphrey, who had been previously convicted, as we have remarked, of robbery in England,

but had escaped from thence, began to think that this was an excellent opportunity to him of making good terms with the authorities, and of saving his own neck ; therefore, he went secretly at eleven o'clock on Friday night, the 7th of March, 1788, to the house of Mr. Wm. Middleton, then one of the vigilant sheriff's officers in Edinburgh, and opened up negotiations with him which led to an immediate interview with the Procurator-Fiscal. Of course, we do not know what really occurred between them, but this, we believe, is the fact that Brown, villain though he was, had some compunction on behalf of Deacon Brodie, and concealed his name in the first instance from the Fiscal, but revealed the whole particulars about his other two accomplices, namely, Smith and Ainslie, who, on Saturday morning, were seized at the instance of the Fiscal, and committed to the Tolbooth of Edinburgh.

The whole city of Edinburgh rang with this extraordinary intelligence. Deacon Brodie in his own house, arose in the morning as usual, put on his black suit and white cravat, adjusted his powdered hair and his cocked hat, and went forth to transact his usual and lawful business in the city of Edinburgh, chatting of the robbery to some of his friends as one of the most audacious things that had ever happened in "Auld Reekie." He even had the coolness—the unparalleled effrontery—to walk to the Edinburgh Tolbooth for the purpose, as he said, of getting a glimpse of the bold robbers "thus happily detected," but probably with the cunning intent of whispering to them to conceal him, or deny any knowledge of it. His position as a Deacon and Town Councillor of Edinburgh had entitled him on previous occasions to get access to the Tolbooth for any inquiries he wished

to make, but on this occasion the Edinburgh jailor peremptorily refused to allow him to hold any conversation whatever with the prisoners, and therein the upright jailor only did his duty, with what consequence we shall soon see.

Dismayed with that refusal of the Edinburgh jailor, or rather alarmed about it, the Deacon, for the first time in his life, became uneasy and perplexed. His guilty conscience was now beginning to whisper to him with all its grave admonitions. He, therefore, hastened hurriedly to the residence of one of his favourite nephews in the Lawnmarket, and confidentially communicated to him the whole particulars of this great projected robbery, greatly, of course, to the grief and consternation of that young gentleman,—whose name we refrain to give: no matter, he has passed away to another world long ago; but some of his descendants in Edinburgh still remain. The resolution then hastily adopted was, that it was essentially necessary for Deacon William Brodie to fly instantly from Edinburgh for his life, because if any of the prisoners peached against him, he would, if he remained, assuredly be taken up on a criminal warrant on a capital charge.

Early on Sunday morning, therefore, the Deacon made his escape from Edinburgh to Dunbar, and from Dunbar he got safely to Newcastle, and from Newcastle he travelled *incog.* in the *Express Fly* or stage coach to London, reaching London in safety on Wednesday night.

Very early on Monday morning, the officers of justice in Edinburgh were searching in all places for Deacon Brodie, and every human being in that city was shocked and petrified with the statement which soon transpired that Deacon Brodie was one of the robbers, and had fled.

The King's messengers in all directions were sent in pursuit of him. George Williamson, the most active of these officers at that time in Edinburgh, traced him to London, but there he utterly lost sight of him, although it is the fact that Deacon Brodie one day nearly rubbed shoulders with him in Bond Street, as the Deacon himself afterwards admitted, but he had got a wig and a crutch, and a neat plain hat, and so escaped. He was then looking out for temporary quarters in the Strand near the residence of one of his confidential friends.

What was next to be done? His grieved and alarmed relations in Edinburgh were themselves strictly watched, but they contrived, in a most ingenious way, to hold intercourse with him in London. We need not describe it. Suffice it to say that a very respectable solicitor then in London, of the name of Walker, had confidential intercourse with the absconding culprit, Deacon Brodie, and soon afterwards the latter was carried down in a hackney coach to Blackwall, and there snugly embarked in one of the Carron Company's ancient smacks called the *Endeavour*, bound, strange to say, on her return voyage to *Leith*, on Saturday night. This our readers may think was hardly credible, since it was sending back the culprit to the very place of his criminality near Edinburgh. But mark the dexterous or the cunning reason.

It happened that there was only one other passenger and his wife, viz., John and Mrs. Geddes of Mid-Calder, who had paid their passage money or been booked in the good smack *Endeavour* apparently from London on their return for Leith. Away then the vessel sailed from London with the Deacon in the state cabin to himself, booked, and passing now under the name of *John Dixon, Esquire*. But was the vessel really going directly to Leith with

such a freight? Not at all! Mr. Geddes and his wife naturally and innocently enough believed that they were on the direct path of their voyage homewards. But lo! when they were a day or two out at sea, Deacon Brodie, alias John Dixon, Esq., delivered to the captain *secret written instructions*, under the hand of the agents of the Endeavour in London, requiring him on the orders of the said John Dixon, Esq., to alter his course and to proceed to OSTEND, and there safely to land the said John Dixon, Esq., and his luggage, free of expense; and after doing so to resume the voyage of the Endeavour to the port of Leith. This was truly a most ingenious stratagem, and for a time it so far succeeded, but it was ultimately attended with a most marvellous result. The ship was stranded on the coast of Holland, and lay on the sands for several days ere she could approach Ostend. In the interim, the *Deacon*, recovering his courage and thinking that all was perfectly safe with him as regarded his flight from Edinburgh, began to chat and to become exceedingly friendly with the only other passengers on board—viz., Mr. and Mrs. Geddes—who knew nothing earthly of the character of the Deacon, or anything about him, and were equally ignorant of the Excise robbery in Edinburgh, or of the reward or proclamation published about it.

In a fatal hour for himself, the Deacon called to the captain for pen, ink, and paper, with which he was supplied, and he then began to write several letters to his friends and relations in Edinburgh. The plan arranged by him with his attorney, Mr. Walker, in London was, that on landing at Ostend, he should embark thence in some vessel for New York, and in anticipation of his safe arrival in that city, letters of credit to some amount under the name of John King, were arranged to be forwarded to him.

The unusual long voyage of the *Endeavour* direct from London to Leith began to excite some fears in the latter port, where the sailors over their grog used to drink

“ Ships at sea, port o’ Leith,  
Ships at sea, port o’ Leith.”

No Carron smack had yet been foundered at sea, and therefore, sanguine hopes were still entertained about the *Endeavour*; but that vessel fairly *foundered* Deacon Brodie himself, far away on dry land. He placed the letters he had written into the hands of Mr. Geddes or his wife, requesting them to have the goodness when they landed safely at Leith, to send the letters to their destinations through the post-office, which they politely promised to do, and thus they parted with John Dixon, Esq., wishing each other all prosperity.

Wonderful to relate, when the *Endeavour* arrived in Leith harbour, after her unusually long voyage, it was told by some of the crew to their anxious friends, that they had been sent on a round about voyage to OSTEND, where they had never been before. What were you doing there ? *Landing some important gentleman* named John Dixon, Esq. And when Mr. Geddes and his wife landed safely on the Pier of Leith, and heard all the news, and especially the news about the robbery of the Excise Office, and the flight of Deacon Brodie, and the description given of him in the newspapers that came under their hands, they began to suspect that he was their very voyager from London to Ostend. They became therefore somewhat perplexed about the letters committed by him to them in the way above stated. They began to cogitate on the subject, and curiosity, when once fairly aroused, is sometimes a strange compound. So the good man and his

wife began to take liberties with the letters, and to peep into their contents in their own house at Mid-Calder. Preserve us! He was the very robber, for he had referred to it in one of his letters. They therefore went to Edinburgh and placed the letters in the hands of the Procurator-Fiscal, telling him candidly how they had obtained them.

The Fiscal, of course, was agreeably surprised. Mr. George Williamson, the active king's messenger, had been by this time some weeks back from England with no hope of catching the absconding deacon. He had given up the chase as absolutely hopeless ; but these letters inspired him with fresh energy and more eager pursuit, which we shall dispose of in our next chapter.

#### NO. I.—THE SINGULAR PURSUIT AFTER THE DEACON

MEANWHILE the great culprit, or *socius criminis*, John Brown, *alias* Humphrey Moore, who had communicated the first important information to the Fiscal on Friday night, and was committed to the Edinburgh Tolbooth, was of course judicially examined and interrogated by the authorities. He at first concealed from the Fiscal the name of Deacon Brodie as being in any way implicated in the robbery. The reason of this became afterwards perfectly evident. The vagabond thought that the deacon—a rich man, though deplorably engulfed in these criminal practices—would yet find means of access to him by some means or other, and perhaps bribe him with a large sum of money for holding his tongue, and Smith, the other culprit, seems to have entertained the same expectations. Neither of them at that time knew of the deacon's flight.

An amazing incident occurred, which we may tell be-

fore we follow the deacon further to Ostend. The circumstances of the robbery were of course narrated in the three Edinburgh papers then published ; and amongst other things found in the Excise Office, as left by the robbers, the *coulter* of the plough and the horse *spur* were referred to.

Johnny Kinnear, the decent ploughman, or servant, of the Earl of Abercorn at Duddingstone, reading the news in those Edinburgh papers, thought it strange that the *coulter* of a plough should be found in the Edinburgh Excise Office. Bless me, says he, I wonder if that can be the coulter stolen from the Earl's field, and my ain plough, on the week previous? He scratched his head and mused unto himself; he, on the advice of some brother lads, resolved to go at once into Edinburgh and *speer* (inquire) about it. When he reached the Sheriff's Chambers, and was telling his blunt artless story, the coulter itself to his astonished eyes was speedily exhibited to him. He identified it at once; and he was going on to tell the story about "the black dog" he had seen with "the gentlemen" in the field where the plough lay, when lo! at that very instant, the prisoner Smith, with his associate Ainslie were brought handcuffed together into the Sheriff Chambers for further examination. The Earl's servant, Johnny Kinnear, was then in the very middle of his precognition or evidence before the Fiscal. He rose from his seat, but could not speak decidedly to either of the prisoners. He just "kenned" (knew) that the gentlemen he suspected of carrying away his *coulter* had a black dog running about with them in the field; and more than that he could not really undertake to say, though he should lose the coulter and his day's darg. Honest fellow—the *doubt* entertained for a moment at this point was soon cleared

up to his perfect satisfaction and all those who heard him; for the black dog itself—the faithful animal—was heard howling pitiously in the very lobby of the Sheriff's Chambers. The door was opened by one of the constables in attendance, to turn away the disturbing dog, when lo! the excited animal sprung past the officer, entered the Sheriff's room, and wagged its tail and leaped with joy on the two culprits, caressing them in such a manner as left no manner of doubt to those who saw it that the dog in reality was the dog of one or the other of those culprits. The gaping ploughman, fixing his eyes upon the dog and the prisoners, declared that he was now perfectly satisfied about the identity of the whole, while the prisoners themselves, thus confounded, could not deny that the dog was theirs. This singular scene became one of the first fatal links in the important trial which ensued.

To Brodie's house, in quest of him, the officers of justice often and again repaired. In one of his apartments they found a *spur*, which exactly matched the one found in the Excise Office; and thus the *spur* and the *coulter*, which, in other circumstances, would be of no consequence whatever, were now telling pretty significantly in the case.

But Deacon Brodie himself was then far away, smoking his pipe and drinking over his cups with confidence, in Holland. He never fancied that the letters he had written on board the *Endeavour*, and had entrusted to Geddes and his wife, would be intercepted, or go into any other hands than those of his confederate friends in Edinburgh, to whom they were addressed.

The three captured and secured prisoners, viz., Brown, Ainslie, and Smith, in Edinburgh Tolbooth, now learning that the Deacon had absconded, and that they could get

no hush-money from him, desired that the Sheriff of the City and County of Edinburgh, viz., Archibald Cockburn, Esq., would be sent for in order that they might make, as they said, "a clean breast to his Lordship," about this robbery and other things. After being duly admonished of their great peril, they confessed to the robbery, and the prisoner Smith in particular requested to be taken to the Deacon's House, where he would point out to the Sheriff Officers the place where the Deacon kept his skeleton keys, and double-barrelled pistols, &c.; and sure enough under the flag-stones of the Deacon's parlour, these implements including the *loaded pistols*, which the Deacon had actually carried with him to the Excise Office, were discovered. This only whetted the appetite of the officers of justice to pursue him.

Amongst the robberies planned by these four great culprits in Edinburgh, the prisoner Smith specially condescended to the following, which may astonish some of our readers :—

Messrs. Dalglish and Dickie, watchmakers and jewellers in Edinburgh.

Messrs. White and Mitchell, lottery office.

The Edinburgh Council Chambers, *for its silver plate*.

The Edinburgh Chamberlain's Office, for its money.

Messrs. Forrester and Co., jewellers.

Messrs. Gilchrist and Co., linen drapers.

The Bank of Scotland.

The Stirling Stage-Coach, carrying a thousand pounds to pay the Carron Workmen.

Mr. Lattimer, collector of excise for the Dalkeith District, with three thousand pounds of his collections.

What a list of robberies that was for one gang of vil-

lains in Edinburgh. In point of magnitude, Rob Roy with all his degradations, never exceeded it, and in point of interest, this story, in some of its salient points, may prove as interesting as the *Novel* of Rob Roy itself.

The great thing now was to chase and overtake the Deacon to Holland, and to bring him back by the cuff of the neck to Edinburgh. He had, however, left Ostend. He found it not so convenient for him as he thought, and after many windings and turnings, he reached the City of Amsterdam, where he was sure, he thought, of finding a vessel to take him safely to America, and he was in the very act of negotiating for his passage, and of writing to his agent in London, Mr. Walker, informing him of all about it, when the other striking circumstances occurred which we shall here relate.

#### CHAP. I.—THE DEACON IN THE CITY OF AMSTERDAM.

The officers of the Crown in Scotland, on the discovery of the veritable letters under the handwriting of the Deacon himself, which Mr. Geddes, and his wife had delivered up as already stated, instantly communicated with the officers of the Crown in London, and the Secretary of State, with Sir Sampson Wright, then the Chief Police Magistrate of London, arranged that Mr. Groves, one of the king's trusty messengers, with Mr. Carpweal as his concurrent, should forthwith proceed to Holland in quest of the absconding Deacon Brodie, charged with these great and heinous crimes.

The *Hue and Cry* was now raised against Brodie both at home and abroad. The large reward for his apprehension, now increased to £500, tempted many to look out for him. It happened that there was one clever Irishman then at Ostend, of the name of Daly. He had frequently

seen Brodie, who went by the name of Captain John Dixon, so long as he remained in the place. He smelt him to be the culprit as described in the proclamation about him. But now the Deacon himself was off—none at Ostend knew how or whither he had gone. This Irishman, however, patiently tracked him from one canal after another canal in Holland, and from the information of two Jews, waiting, like servants, on the arrival of passengers by the great canal at Amsterdam, who had carried the Deacon's trunk to one of the ale-houses in that city, they pointed out to him the very place where the trunk had been deposited, and where the gentleman to whom they supposed it belonged had taken up his quarters. Mr. Daly now carefully armed himself. He was on the very track of his game—within pistol shot. Rapping at the gate of the ale-house, the landlord informed him that the gentleman he was inquiring about was quietly engaged in the flat of his lodgings above. So Mr. Daly went up stairs, knocked gently at the door, but no answer. The Deacon was within, overhearing all, and doubtless in great terror. Mr. Daly, after repeated knocks, and still getting no answer from within, soon burst open the door, and found the table covered with letters and writing paper, and one half unfinished letter, commencing with the words, Dear Mr. Walker, in London. Mr. Daly could read Scotch writings tolerably well, and this was proof positive to him of the Deacon's whereabouts. The windows, he found, were carefully down, nobody could have bolted out from them. Mr. Daly searched above and searched below, in every conceivable place; at last he opened a small cupboard in one of the corners of the capacious rooms, and there, crouching within it, he beheld the veritable Deacon Wm. Brodie, from Edinburgh! “How do you

do, Deacon Brodie, or Captain John Dixon," said the bold and horrible Mr. Daly to his pounced-on captive. "Come away with me." The Déacon, thus surprised, trembled from head to foot, but he had nothing upon him adequate to the reward of £500; therefore, Mr. Daly shortly afterwards had him safely lodged in the Stadt-house, or state prison of Amsterdam! This occurred on the 26th of January, 1788. Mr. Daly went over to London—claimed the reward—and ultimately got it.

At the distance of some weeks, but not till after the prisoner was thus secured, the king's messengers, viz., Mr. Groves and Mr. Carpweal, arrived at Amsterdam. But the difficulty now was how to get the prisoner removed or taken to London, and from thence to Edinburgh—for by the law of Amsterdam, or the States of Holland, *two* witnesses were required to speak to the prisoner's identity, and this was the first case of *extradition* that had happened in Holland.

#### CHAPTER II.—SCENE IN THE STATE CHAMBERS OF AMSTERDAM.

THERE was at that time in the city of Amsterdam a Scotch minister of the name of Gerard. His father-in-law, a gentleman of the name of Duncan, from Leith, happened to be then on a visit to his family in Amsterdam. He knew Deacon Brodie as one of the town councillors of the city of Edinburgh. The British minister at the Hague and the British consul at Amsterdam were now in attendance. Mr. Groves gives the following interesting account of the proceedings in his journal :—

*"In the State Chambers of Amsterdam, and before their High Mightinesses the States-General of Holland."*

These, observe, are the words of Mr. Groves.

Mr. Brodie ordered to be brought in from the Stadt-house. Substance of the examination—

What is your name?—John Dixon.

That is the name you go by here. But is not your real name William Brodie?—My Lords, I stand here and claim the protection of the laws of the country, which require two witnesses to prove me William Brodie.

You shall have the protection of the laws of the country; but they do not require two *oaths* to identify you. It is sufficient if the magistrates are *satisfied* that you are the same man.

Mr. Groves.—I beg he may be asked if he is not a native of Edinburgh?—I have been at Edinburgh.

Mr. Groves.—Is he a deacon of Edinburgh?—I claim the protection of the laws.

Mr. Groves.—Does he know Mr. Wm. Walker, attorney-at-law, of the Adelphi, London?—I know such a man.

Mr. Groves.—Well, my Lords, this Wm. Walker procured the escape of this William Brodie from London. I have documents here to prove the fact, and I can swear to Mr. Walker's handwriting.

Prisoner ordered to withdraw.

After consultation by their "High Mightinesses," says Mr. Groves, the prisoner was again ordered to be brought into the state chambers, and this occurred.

The prisoner being admonished, and the written certificates read over to him, and asked if he has not a father? He replied, None. But you had a father, said one of the state judges—was not his name Brodie? To this the prisoner replied—There are more Brodies than one. Then by that, said the judge, you confess your name to be Brodie? A *lapsus linguae*, my Lord.

At last, after grave deliberation, the judges decreed that Mr. Brodie should be delivered up to the officers of His Britannic Majesty.

"The Dutch judges," says Mr. Groves, ordered "that I should have a *guide*, who would procure the means of conveyance, and I took my leave of them—waited on Mr. Rich, the British consul. At four o'clock was sent for to

the Stadhouse, where there was a prodigious crowd, two carriages, and four guides, with four horses in each carriage ; and the prisoner being properly secured, we put him into one, and got to Helvest without interruption next day at one o'clock. Sailed with the packet at five. Brodie was watched two hours alternately on board by the ship's crew, his hands and arms pinioned, and his meat cut up for him and placed in his mouth. On Thursday night at eleven o'clock we arrived at Harwich—supped—set off immediately for London, and arrived next day at noon at Sir Sampson Wright's, before whom and Mr. Sandilands law officer of the Treasury, Brodie confessed he was the person advertised for—but he stoutly denied the robbery."

We now transcribe the following passages from some of the *intercepted* letters of Brodie, which will show how confident he was of his escape to America ; and others of these letters were found in his lodgings at Amsterdam at the very moment he was seized by Mr. Daly. They unfold the character of the man :—

No. 1.

" Flushing, Tuesday, 8th April, 1788, 12 o'clock noon.

"**M**Y DEAR FRIEND,—Sunday the 23rd ult. I went on board a ship, cleared out for Leith, but by a private bargain with the Captain, was to be landed at Ostend. I have been on board ever since the 23rd. Most of the time we lay aground a little below Gravesend, owing to thick weather and cross wind. We are obliged to land here (Flushing) ; but this afternoon I will set off, by water, for Bruges, and then for Ostend (so I begin my travels where most gentlemen leave them off), where I shall remain, for some time at least, until I hear from Mr. Walker."

No. 2.

"I most earnestly beg of Mr. —— that my remittances be as liberal as possible, for without money I can make but a poor shift. Let my name and destination be a profound secret, for fear of bad consequences."

## No. 3.

"Were I to write you all that has happened to me, and the hair-breadth escapes I made from a well-scented pack of blood-hounds, it would make a small volume.

"Write me how the *main of cocks went*, how you came on in it, if my black cock fought and gained."

## No. 4.

"By strict instructions sent me when I left London, which I think were drawn up in my cousin —'s hand, I was forbid writing to any one in Britain, Mr. Walker excepted, for a year or two, but this order, if necessary, I find it not easy for me to comply with, for I must correspond with my friends, in whatever part of the globe I am, and I hope they will do so with me, and write them when an opportunity offers. I have gone through much, in every sense of the word."

## No. 5.

"I wrote Mr. Walker from this, the 10th current. I received an answer the 18th, and wrote again the 23rd current, and upon receiving his next I hope to be enabled to embark in the first ship for America, to whatever port she is bound, which will probably be Charlestown, South Carolina, as there is a ship lying-to for that port; and notwithstanding the climate is very hot, and not so salutary to British constitutions, especially at the time I will arrive, which will be about the dog-days, I will settle there if I think I can do better than at Philadelphia or New York. Longevity to me is now no object, but at any rate I will be at New York, and I hope to find there letters, and, if possible, some clothes and tools, otherwise I will be badly off indeed."

## No. 6.

"I beg I may hear from you when at New York, and if directed to Mr. John Dixon, to the care of the Rev. Dr. Mason, I will certainly receive it (as I know no other name there to desire you to direct to), for I will certainly call there, whatever part I land or settle in, in expectation of letters, and, in particular, a long letter from you, in which, please answer the following questions without reserve. I am prepared to hear the worst:—How do my dear sisters keep their health? I hope the shock of my departure, and what followed, has not injured either of them in health. How did they stand it? What

has been done, or likely to be done, with the two unfortunate men, Smith and Ainslie, and the greater villain John Brown, *alias* Humphrey Moore? Was John Murray, *alias* John Tasker, brought from England?

“ Whatever these men may say, I had no hand in any of their depredations *excepting the last*, which I shall ever repent, and the keeping such company, although I doubt not but all will be laid to me. But let me drop this *dreadful subject.*”

CHAPTER III.—HIS ARRIVAL AND IMPRISONMENT IN EDINBURGH,  
&c., &c.

ON reaching London, Mr. Brodie was given over “in safe custody and keeping” to Mr. George Williamson, the active messenger-at-arms from Edinburgh, who had been waiting in London to receive him; and under a strong escort he was sent to Edinburgh, where he safely arrived on or about the 15th of July, 1788.

Prodigious astonishment was excited in Edinburgh that the deacon was now in the Edinburgh Tolbooth, securely lodged with Smith and Ainslie, the other two prisoners, who had made a desperate attempt at escape; but they were overpowered by the turnkeys, and placed in irons.

At last it was resolved by Mr. Islay Campbell of Succoth, His Majesty’s advocate for His Majesty’s interest, to INDICT Deacon Brodie amongst with George Smith to stand trial before the High Court of Justiciary in Edinburgh, on the 27th day of August, 1788, for the robbery of the Edinburgh Excise Office.

We need scarcely remind our Glasgow readers that this Mr. Islay Campbell was afterwards the great Sir Islay Campbell of Succoth, Baronet, Lord President of the Court of Session, and great-grandfather of the present Sir Archibald Islay Campbell. Old Sir Islay was one of the greatest lawyers of the age in which he lived. The crown

lawyers had thus selected Brodie and Smith for trial under one capital indictment. They left out the other two culprits, John Brown, *alias* Humphrey Moore, and Andrew Ainslie, because it was considered that they should be made "king's evidence," or witnesses for the Crown against the pannels; and indeed they were the only *direct* witnesses to bring home the special and capital charge in the indictment against Brodie and Smith.

Never did a trial up to that period create greater interest in Edinburgh. True, there were some celebrated trials about the time of the Rebellion, and also other trials of some consequence, but Deacon Brodie was a citizen amongst themselves of credit and renown. Could he really be one of the Excise robbers, or the planner and schemer of the other great robberies, the perpetrators of which had not hitherto been detected?

Great was the array of counsel on both sides of the bar. With Islay Campbell as Lord Advocate, there was the celebrated Robert Dundas, Solicitor-General, with William Tait, and James Wolfe Murray (afterwards Lord Cringletie), Advocates-Depute, and Mr. Dundas, Clerk to the Signet and agent for the crown. Arrayed on the other side for Brodie, there were the honourable Henry Erskine, then Dean of the Faculty of Advocates, with Alexander Wight, the eminent juriscounsel, and Charles Hay (afterwards Lord Newton), with Messrs. Robert Donaldson and Alexander Paterson, as agents; while for the other prisoner, George Smith, there was the famous John Clerk, afterwards Lord Eldon, who had recently passed the bar, and with him there was Robert Hamilton, afterwards Sheriff-Depute of Lanarkshire, and with them *Aeneas Morrison, S.S.C.*, afterwards writer in Glasgow, whom we have so frequently alluded to, and whose me-

mory we never can forget, especially as it is to him that we are indebted for much information and many lessons imparted to us in early life. He was a gentleman, and a clever one, beyond doubt.

'Tis granted, and no plainer truth appears,  
Our most important are our earliest years ;  
The mind, impressible and soft, with ease  
Imbibes and copies what it hears and sees.

The Justiciary Court was crammed almost to suffocation. The introduction to the trial itself is thus given by Mr. Wm. Creech, the eminent bookseller of Edinburgh,— and it is rare to get hold of some of his old pamphlets now :—

“ The prisoners Brodie and Smith were brought from the Tolbooth into Court before nine o’clock of the morning. They were conveyed, upon their request, in chairs, but each having a sentinel of the City Guard on the right and left with naked bayonets, and a sergeant’s guard behind, with loaded muskets and fixed bayonets. A strong party of the 72nd Regiment of Foot lined the way to the Court, to keep off the vast crowd. Mr. Brodie was clean and well dressed—in a new dark-blue coat, and a fashionable waistcoat, and silk satin breeches, and white silk stockings ; and his hair full powdered and dressed. Smith was plainly dressed. The demeanour of the first was easy and confident ; that of the latter timid and dejected. The Judges, in their justiciary robes, preceded by the mace bearing the justiciary mace, soon after took their places on the bench in the following order :—

The Right Honourable the Lord Justice Clerk  
(Robert M’Queen of Braxfield).

Lord Hailes.  
Lord Eskgrove.

Lord Stonefield.  
Lord Swinton.

The indictment being read, the prisoners severally pleaded *Not Guilty*, whereupon the following Jury were impanelled ; and their designations, which we give, will at once attest their consequence :—

1. Robert Forrester, banker in Edinburgh.
2. Robert Allan, banker, there.
3. Henry Jamieson, banker, there.
4. John Hay, banker, there.
5. Wm. Creech, bookseller, there.
6. James Carfrae, merchant, there.
7. George Kinnear, banker, there.
8. Wm. Fettes, merchant, there.
9. John Milne, printer, there.
10. Dunbar Pringle, tanner, there.
11. Thomas Campbell, merchant, there.
12. Francis Sharp, merchant, there.
13. James Donaldson, printer, there.
14. John Hutton, stationer, there.
15. Thomas Cleghorn, coachmaker, there.

All of these gentlemen were of the highest repute in the city of Edinburgh, and there are establishments in Edinburgh at the present day well worthy of their name and their fame.

We may here remark, as we heard it alleged, that the 13th jurymen on that list, viz., Mr. James Donaldson, printer, was a miserly scrub. He printed the *Edinburgh Advertiser*, and many law papers, and left nearly £200,000 for building an *Hospital* to be called after his own name, and it forms the magnificent turreted building entering Edinburgh from the west, near the Waverley Railway Station. His heir-at-law, or at least one of his nearest relatives, was the late Mr. John Duncan, junr., merchant, of this city, who had married

a daughter of worthy old Dr. Robert Balfour, of the High Church ; and Mr. Duncan cherished high expectations from his rich relative, but he left him not a farthing, which raised a glow of indignation in Glasgow on Donaldson's death, in the year 1830, when we heard our witty friend, the late Mr. John Douglas of Barloch, exclaim that Donaldson's Hospital should be called Duncan's *Mortification*. It is, we believe, a very excellent hospital, notwithstanding.

#### CHAPTER IV.—THE EVIDENCE AT THE TRIAL.

OF course, we do not intend to fatigue our kind readers with the whole of it. They may have anticipated the scope of it from what we have already published ; but there are some remarkable points about it never published, which we now supply, on the authority of Mr. Morrison as well as others.

The first great point of importance in the case, affecting the life or death of the prisoners, was as to the *admissibility* of the two other criminals, Ainslie and Brown, against Brodie and Smith. If they were admitted as competent witnesses against the two prisoners now standing on trial, the Crown lawyers were confident of a conviction of Brodie and Smith on the capital charge ; and on the other hand, if they were *rejected* by the Court as witnesses, the counsel for the accused were equally confident of an acquittal in their favour. At a consultation of all the learned counsel for the accused prior to the trial (we had this from Mr. Morrison himself, who was present at it), it was finally arranged, after anxious deliberation, that they should direct all the fire of their artillery (these were his words) against those great villains, Ainslie and Brown ; and if they cut them down

from being witnesses, good and well ; if not, a plea of *alibi* was to be started in defence for Mr. Brodie in particular, as the only chance of saving his neck ; and all Brodie's friends in Edinburgh were mustering to support that plea by evidence in his favour. Brodie's own letters might tell against him, but these they thought might be explained to the jury on some ingenious theory raised for the occasion. He had taken good care in his declarations before the Sheriff in Edinburgh, absolutely to deny point blank that he had any concern whatever with the Excise robbery.

One witness was called, and another witness was called, to speak to isolated circumstances. The officers of Excise spoke distinctly to the robbery. The pistols and skeleton keys found in Brodie's house were identified, so was the spur and the coulter, and the story about the dog, Rodney, with the flight of Brodie from Edinburgh, his passage on board the *Endeavour* from London to Flushing or Ostend, the *letters* he had entrusted to John Geddes and his wife, all these and other things were distinctly and vividly sworn to ; but still the direct evidence was awanting of the two notorious associates, Ainslie and Brown.

Amidst breathless silence, the *twenty-sixth* witness in that long array of witnesses, viz., Andrew Ainslie, was called and brought into court. The Dean of Faculty, Henry Erskine, opened up with his objections to him. We cannot pursue his eloquent argument. The substance of it was this, that his unfortunate client, Mr. Brodie, was substituted in place of the witness himself, who ought to have been arraigned at the bar ; and that the witness was placed in the predicament of either fixing the crime charged against the prisoner, or of being tried and perhaps hanged for it himself. The Dean there-

fore contended that their lordships should *reject* this witness.

The Lord Advocate (Islay Campbell) replied with all his power and eloquence. He admitted that the witness was an accomplice in the crime charged against the prisoners, and might have been tried for it as such ; but when he tendered him as a witness, and examined him as a witness in the case, his responsibility ceased, and he could not afterwards be indicted for the crime ; while it was his undoubted right and privilege, as Lord Advocate, to select from the *socius criminis* any one of them he pleased.

After a long and earnest discussion, their lordships unanimously repelled the objection, and allowed the witness to proceed with his evidence. It was most fatal and damaging to both prisoners, for he described the cocking of their pistols, and their very actions while within the threshold of the Excise Office.

Another witness yet remained to clench this evidence, for it was then deemed necessary by the law of Scotland to have *two* witnesses to attest the chief or material fact stated in the indictment. So the greater culprit perhaps of the whole four, viz., the bold hardened offender, John Brown, *alias Humphrey*, was next to be called. But up to this point, the learned counsel for the prisoners did not despair, for although Ainslie had been admitted, a much more formidable objection remained to be stated against Brown, because he had previously been convicted of *felony* in England, and was thereby rendered *infamous* by law, and could not be received as evidence in any Court.

All the counsel for the prisoners bristled up with that objection. The Court was evidently inclined to sustain it, and dismiss the witness ; and Deacon Brodie was rub-

bing his hands apparently with joy, and receiving the congratulations of more than one of his learned counsel, when Islay Campbell, the Lord Advocate, to the astonishment of everybody in that crowded Court, produced and read to their lordships, under the sign-manual, *His Majesty's most gracious pardon*, which he had just received by express from London, in favour of the proposed witness. It at once completely removed the formidable objection to his evidence, which the Court was about to sustain.

The scene therefore suddenly changed. Deacon Brodie felt exhausted, and asked, for the first time on his trial, for a drink of cold water. The formidable witness, on the order of their lordships, was brought into Court with great solemnity. He swore strongly and pointedly, as his other confederate had done, against the deacon, trembling now for his life. The witness was subjected to a most severe cross-examination by the Honourable Henry Erskine, Dean of Faculty. The vagabond was at first quite cool under that cross fire; but at last he lost temper. He began to fence with the Dean—to try to parry off some pointed questions about his former character—and he broke out by saying that the Dean wanted to *entrap* him; but he would answer no more of his “impertinent questions.” The Court, however, intimated to him that he *must* answer the Dean’s questions; and the fellow acquiesced in this, and now answered every one of them most flippantly. At the conclusion of his examination by the Dean, he attracted the attention of the Court by uttering the following words with all the eloquence of an accomplished elocutionist, “My Lords, I have stated nothing but the truth; and I have rather softened the matter than otherwise against Mr. Brodie.”

On his leaving the Court, after his long examination, the Lord Justice-Clerk complimented him by saying—“Brown, you seem to be a very clever fellow; and I hope you will now abandon your dissipated criminal career, and follow some honest employment.”

“My Lord,” said he, in reply, “be assured that my future conduct shall make amends for my past.”

Whether he did so or not we cannot tell.

We should here observe, as it is somewhat interesting, that the prisoners, through their counsel, had previously made one important point in their favour, which was thought at the moment to break down or overthrow the case for the crown. We have stated in the previous part of the narrative, that when the Excise Office was robbed, the sum of £16 sterling was all the money taken away from one of its desks by one of the robbers; while the vast sum, amounting to hundreds or thousands sterling remained untouched, for the reason also previously stated, namely, that the band of daring robbers were alarmed or *scared* away at the important moment they were about to lay their hands on that treasure. Now, amongst these £16 there happened to be one or two £5 notes of the old *Glasgow Merchants' Bank*. One of these notes had been traced to the prisoner Smith. He had actually gone with it the day *after* the robbery, but previous to his apprehension, to the Mail Coach Office in Edinburgh, and purchased a ticket for the passage of his wife to Newcastle, receiving back the difference of change on his £5 note. This note was described and specially founded upon in the indictment as an *adminicile* of evidence against the prisoners. When it was produced in Court for identification, Henry Erskine, the Dean of Faculty, rose and objected to it, on the ground that the note libelled on was

said to be a £5 *bank* note, whereas this was the note of a *private* banking house in Glasgow, and could not legally be received as evidence. The Solicitor-General answered that this was a mere quibble on words, as the notes of every banking company was truly called a *bank* note. A long and ingenious argument took place on this point. The Court sustained the objection, and rejected the note!

Another salient point occurred. Mrs. Smith, the wife of the prisoner Smith at the bar with Brodie, was called as a witness for the crown. The scene here became rather affecting. She rushed to the prisoner in the dock, and kissed him most affectionately, ere the officers of Court could separate them. He held one of his manacled hands to her, and entreated her in a loud whisper not to answer any questions against him.

John Clerk of Eldon, the leading counsel, as we have already stated, of that unhappy man, glowed now with animation. "What, my Lords," he exclaimed, "are you cruelly going to allow this man's wife to be called against her own husband, here struggling in the presence of your Lordships for his life?"

The Court ruled that she could not be required to give evidence as a witness against her husband, but that she could be received as a good and competent witness against the *other* prisoner, Deacon Brodie, no way related to her. At this Henry Erskine fired; but he bided his time for a few moments. When the oath was solemnly administered to the weeping and sobbing witness by the Lord Justice-Clerk, "Madam," says Henry Erskine, in one of his blandest tones, "will you please to speak up and tell me your maiden name?" "My name, sir," said she, "is *Mary Hibut*." "Quite right," said Henry Erskine. He asked her to write down her name as she had just

given it ; and as directed by the Court, and without any hesitation, she wrote down at the bar her name, “ *Mary Hibut.* ”

“ Now,” says Erskine, after this was done, and glancing over with his eagle eye the list of witnesses appended to the indictment, “ My Lords, there is no such witness in this indictment. We have, as your lordships may see, a ‘ Mary Hubbart,’ but we have no *Mary Hibut*; and, my lords, the difference between these names is as great as if your lordships were to call me Henry *Friskin*, whereas you only know me by my true and lawful name, Henry Erskine.”

The Court, tickled with this objection, sustained it ; and the agonised witness curtised and left the court, with some feelings of compassion, while the incident itself told somewhat in favour of the prisoner Smith ; and all felt for the pretty little affectionate Englishwoman thus relieved from giving evidence—but to meet a sharp and harder struggle in the end.

#### CHAPTER V.—THE CONCLUSION OF THE TRIAL.

IT was now approaching to midnight, and the evidence for the crown had closed with the letters and declarations of the prisoners, to which we need not further allude.

The last opportunity, therefore, had arrived for the prisoners to bring forward evidence in their defence. Smith had none to bring ; but a bold and most desperate attempt was made to prove an *alibi* for Deacon Brodie—in other words, that he could not possibly have been at or near the Edinburgh Excise Office on the night when the robbery was alleged by the indictment to have been committed. We need not go into the particulars ; suffice it to say, that he brought forward one of his *mistresses* in

Edinburgh, by whom he had three or four children, who positively swore that on the night of the robbery, and from eight o'clock till nine next morning, the prisoner, Deacon Brodie, was in her house, and slept there ; and her servant girl, and her charwoman, positively confirmed that evidence. But Islay Campbell, in his cross-examination for the crown, smashed it to pieces as a *trumped-up* story. They could recollect some trivial things to a nicety, but in other more important things bearing on the robbery, they got confused and bewildered, and broke down. An *alibi*, in any case, requires to be established by clear, positive, and reliable testimony ; whereas this in favour of Deacon Brodie, was frittered away like a rope of sand. Many in the court felt concerned for those poor frail witnesses, and Deacon Brodie himself wept tears about them ; but they did him no good. They failed to excite the sympathy on his behalf, which the faithful wife of the other prisoner (Smith) had excited by her appearance a few minutes before.

The Lord Advocate, Islay Campbell, addressed the jury at great length for the crown, demanding a verdict of guilty against both prisoners. It was now the turn of the prisoners' counsel to plead on their behalf. It had been previously arranged between themselves that John Clerk should first lead for Smith. It was his first appearance in the Justiciary Court, and all eyes were rivetted on him, as the son of the great Mr. John Clerk, the illustrious inventor of Logarithms who had produced marvellous results on the British navy. This young advocate, not then three years at the bar, prided himself with the exercise of the broadest pronunciation. He liked the old quaint words of Scotia, which he never forsook till the day of his death. His burlesque appearance

is most amusingly described by Lord Cockburn, in his memoirs of Lord Jeffrey. We shall not presume to dissent upon it in this place, though we often had the pleasure of seeing him in Edinburgh, and to be amused with some important, and at the same time laughable, consultations between him and his early friend *Æneas Morrison*, which would fill a chapter by themselves ; but the *matter* and the *manner* of his first celebrated speech in the Justiciary Court on this great trial were often narrated and disclosed to us by Mr. Morrison, the agent of Smith, who sat immediately behind Mr. Clerk in Court, and declared that the scene which ensued was never reported by any Edinburgh paper as it ought to have been, from fear of offending the Lord Justice-Clerk Braxfield and the other Justiciary Judges, then in absolute and tyrannical power, and of bringing the *puir Reporters* under the lash of the Justiciary law, which no one in those days could venture to resist with the least hope of success. It had been arranged that Mr. Erskine should follow up his address for Deacon Brodie, and strengthen or take up any of the points he had left untouched, and that both should strain their efforts to the utmost to save the necks of both prisoners. So after the evidence for the crown was concluded, those eminent men retired to hold their final consultation on the case, and to partake of some refreshment before their speeches commenced. Mr. Clerk swallowed off nearly a bottle of claret, which was the favourite drink in Edinburgh amongst the lawyers of those days. Some of them could quaff three bottles at one sederunt, and look nothing perplexed.

## CHAPTER VI.—JOHN CLERK'S FIRST SALLY ON THE LORD JUSTICE-CLERK—THE UPROAR IN COURT.

AT one o'clock of the morning, Mr. Clerk began his address to the gentlemen of the jury. He set out by saying in his own quaint and peculiar language, that his poor unfortunate client at the bar was an Englishman, a stranger there, and in great straits for his life. He had no one to say a good word for him, as that great villain, John Brown, *alias* Humphrey Moore, had, who, they would remember, was so highly *complimented* by their Lordships when he left that box. (Here Braxfield, the Justice-Clerk, began to growl.) But he (John Clerk), as his most inexperienced and imperfect counsel, would try and do the best for the poor man. "Be short and concise, sir," said Braxfield, "at this time of the morning." "Please, your lordship, let me proceed." "Well, then, proceed, young man." "Gentlemen of the jury," said Clerk, proceeding sure enough in his own indomitable way, "*I think a great deal of most improper evidence has been received in this case for the Crown.*" Braxfield, scowling and interrupting—"That, sir, is a most improper observation to address at the outset to the jury." "It is," said Lord Stonefield, one of the other Judges, "a positive reflection on the Court." "It is," said Lord Hailes, "a flat accusation that we have admitted 'improper evidence.'" "I never heard the like of this," said Lord Eskgrove, "from any young counsel at the beginning of his career at this bar." Braxfield—"With these admonitions, go on, sir—proceed, sir." Clerk—"Aweel, my Lords, if I go on, I beg to assail at the outset the evidence of these two *corbies* or infernal scoundrels, Ainslie and Brown." "Take care, sir, what you say," said Braxfield. "Yes, my lords, I say that they are both most infamous characters;" and adjusting

his gown and turning to the jury, he said,—“ Gentlemen, you should discard such vagabonds, and not rely on their evidence in any way ; and if you knock out the vile brains of their evidence in this case, there is nothing else remaining on which you can convict my *puir* client, except his own very candid declarations, which I will very soon explain to you. Gentlemen, these nefarious witnesses, Ainslie and Brown, should have stood at this bar this night in place of my client, who was happy in his domestic privacy with his poor, honest, inoffending wife, whom you this day saw, and my heart bleeds for her.” (Here some applause was manifested by the audience.) Macers—“ Silence in the Court.” “ Gentlemen, Ainslie contradicts himself, and Brown is not to be believed—the villain ! ” Here Mr. Clerk fastened on some discrepancy, and seemed to make the most of it. He then went on—“ With respect, gentlemen of the jury, to this said Mr. John Brown, alias Humphrey, you had it out of his own mouth that he was a convicted *felon* in England ; and I say to you, that no convicted *felon* ought, by the good and glorious law of Scotland, to be received as witness in this or any other case in the British dominions.” (Great applause from the audience.)

Macers—Silence in the Court !

Braxfield, (to the young animated counsel)—Mr. Clerk, please restrict your reflections. The Court have admitted the witness.

Clerk in reply—Yes, my lords, I know that very well, but your lordships should *not* have admitted him, and of that the jury will now judge.

Stonefield—This young man is again attacking the Court !

Clerk—No, my lords, I am not attacking the Court ; but I am attacking that *villain* of a witness.

Braxfield—The Court, sir, have already solemnly decided, as you know, on the objections raised by the Dean of Faculty, that in law the objections to these witnesses should be repelled, and they were repelled accordingly; therefore, you should have nothing more to say to us on that point.

Clerk—But, my lords, the jury are to judge of the law as well as the facts.

Braxfield—Sir, I tell you that the jury have nothing to do with the law, but to take it *simpliciter* from me.

Clerk—That I deny.

(Great consternation in Court.)

Lord Hailes—Sir, will you deny the authority of this High Court?

Clerk (adjusting his gown and bristling up)—Gentlemen of the jury, notwithstanding of this interruption, I beg to tell you, with all confidence and all respect, that you are the judges of the law as well as the facts. You are the judges of the whole case.

Braxfield—You are talking nonsense, sir.

Clerk—My lord, you had better not snub me in this way. I never mean to speak nonsense.

Braxfield—Proceed—Gang on, sir.

Clerk—Gentlemen, I was telling you that that infernal witness was convicted of *felony* in England, and how dare he to come here to be received as a witness?

Lord Advocate (interfering)—He has, as I have shown you, received His Majesty's free pardon.

Clerk—Yes, I see ; but, gentlemen of the jury, I ask you, on your oaths, can His Majesty make a *tainted* scoundrel an HONEST man? (Great applause in Court.)

[It is said that these words, delivered with great and powerful emphasis by the young advocate, reached the

ears of Robert Burns, who was about that time visiting Edinburgh, and led the bard to pen the following memorable lines :—

“ The king may make a belted knight,  
A marquis, duke, and a’ that ;  
But an honest man’s above his might—  
Gude faith, he manna fa’ that.” ]

Whether or not, the audience was electrified by this sally—rare in the Justiciary Court—and perhaps never heard in it before.

When Mr. Clerk rose up again, and adjusted his gown to proceed with his observations, the audience gave him another round of applause.

Macers—Silence in the Court.

Braxfield—Macers, clear the Court if there is any more unruly *din*.

Lord Advocate (interposing and addressing the young counsel)—Sir, permit me to say, after this interruption, that the prerogative of mercy is the brightest jewel in His Majesty’s crown.

Clerk (gruffly, and with great emphasis)—I hope His Majesty’s crown will never be contaminated by any villains around it. (Great sensation.)

This was thought to be a young mendacious *Whig* slap at His Majesty’s Tory administration.

Sedition! Sedition! Shouted some of the crown lawyers.

Braxfield to the Lord Advocate—Do you want his words noted down?

Islay Campbell—Oh, no, my lord, not exactly yet—my young friend will soon cool in his effervescence for his client.

Braxfield—Go on, young man.

Clerk (composedly)—Gentlemen of the jury, I was just saying to you, when this outbreak on the bench occurred, that you were the judges of the law, and of the facts in this case.

Braxfield (scowlingly)—We cannot tolerate this, sir—it is an indignity to this high court—a very gross indignity, deserving of the severest reprobation.

*Mr. Clerk sat down!*

Braxfield—Go on, sir; go on to the length of your tether.

Clerk arose for the second or third time, repeating nearly the very words he had recently used; but he launched out into the boldest tones of Scottish eloquence, which made the astonished court hold their breath for a time, and slapping his clenched fist on the bar or the table of the court, he, in a voice of thunder, uttered these words—"Yes, gentlemen, I stand up here as an independent Scottish advocate, and I tell you, a jury of my countrymen, that you are the judges of the law as well as the facts."

The judges looked unutterable things at each other. Braxfield, the Justice-Clerk, started from his chair, and advised the young advocate to beware of what he was about.

Clerk sat down.

The Court thought they had now subdued him.

He muttered some things to the other counsel and agents around him.

Braxfield—Are you done, sir, with your speech?

Clerk—No, my lord, I am not.

Braxfield—Then go on, sir, at your peril.

Clerk—No, my lords, I won't proceed in any such way.

You have interrupted me—you have *snubbed* me in the line of my defence.

Braxfield—Then we must now call upon the learned Dean of Faculty to proceed with his address for the prisoner Brodie, which the Court will hear with the greatest attention.

The learned Dean shook his head, as if declining to do so.

Very well, said the Lord Justice-Clerk, the Court will proceed now and discharge its duty.

And the Justice-Clerk was about to address the jury in his final charge, when up started the young intrepid John Clerk to his legs, and shaking his clenched fist almost in the very face of Braxfield, uttered these astounding words, “HANG MY CLIENT IF YOU DAUR, my Lord, without hearing me, his counsel, in his defence.”

These thrilling, but daring words, never heard before in that court, produced an amazing sensation among all who heard them. Mr. Aeneas Morrison declared that he almost trembled in his seat, as others did, at the bold daring; and the judges themselves were perfectly entranced. They retired to the robing room of “the old fifteen,” to hold consultation. They came back, and instead of threatening to strip the gown from the back of Mr. Clerk, as some thought they would do, they now civilly requested the young advocate to proceed with his speech, and to finish it, if possible, before day-light of the morning. They obviously saw that it would never do for them to have it proclaimed that Mr. Clerk had been smothered with his speech, and that in consequence the Dean of Faculty had refused to proceed with his; therefore, the Lord Justice-Clerk, a good, but violent judge, in some respects, descended literally from his lofty chair,

and apologised to the young advocate for the interruption, trusting it would never occur again.

After that interlude, Mr. Clerk, with great dignity, arose, adjusted his gown, and proceeded with his masterly address to the jury. It is said that when he perceived he had thus literally got the better of the judges in their own seats, and had the reins of speech now in his own hands, he twitted them for first having rejected on *legal* grounds the good, genuine Glasgow merchant's bank-note of £5—worth, he said, its “full value ;” and yet, in the face of that, with having taken to their *legal* embrace, and complimented that great *scoundrel* of a witness, John Brown, *alias* Moore, the convicted felon, “who, I tell your lordships, is not worth his value in *hemp* !” The rich irony of that sally, as Mr. Morrison observed to us, was exquisite at the moment. It was sharp and powerful. But, looking at it now, at this distance of time, through our own grave spectacles, we must say that it had no proper place in jurisprudence, and no foundation in law. The whole evidence, we think, was perfectly admissible. It was clear and cogent. It was certainly extraordinary, but no less clear in every essential link, in every important feature ; and with these diversified remarks we may here close the speech of Mr. Clerk, not without observing, as is the fact, that it was, using his own words, “*the making of him*” at the bar, for business rolled rapidly on him from all quarters, and many of his first briefs were sent to him, because, as the saying was, “*he had stuck up so well to Braxfield*,” and had *cowed* that eminent, but overbearing judge, in a way which no other advocate at the bar had been able, or had even ventured to do. Nor is it over much for us to say, that in all time afterwards, the judges of the Supreme Court listened with

the greatest deference and respect to John Clerk of Eldon. We could tell many original anecdotes about him from the lips of his first faithful *amanuensis* Æneas Morrison ; but this is not the place to do so. It is sufficient to observe that when the *Whigs* had a short tenure of office in the beginning of the present century, Mr. Clerk arose to become their Solicitor-General in the year 1806. His genial friend, the Honourable Henry Erskine, became Lord-Advocate in the same year. They battled bravely together in many a cause for many a long day afterwards, and ultimately Mr. Clerk was elevated to the bench as Lord Eldon, in which capacity we had the honour of shaking hands with him, in company with his friend, Mr. Morrison, long ago.

We close this part of our chapter by observing that Mr. Erskine, the accomplished Dean of Faculty, made a long and splendid oration—but in vain—for Deacon Brodie ; and at half-past four o'clock of the morning of the second day of trial, the Lord Justice-Clerk (Braxfield) proceeded with his charge to the Jury, which, we are glad to say, was admitted on all hands to have been most impartial, notwithstanding of the strange scenes that had occurred.

At one o'clock on Thursday afternoon, the fatigued jury re-entered their box, and handed in their written verdict, *sealed with black wax*. This was then the practice, and it was significant enough in those days.

CHAPTER VII.—THE VERDICT—MOTION FOR ARREST OF JUDGMENT,  
AND SENTENCE OF DEATH.

WHEN the written verdict was read, and while it was being recorded, unanimously finding the panels, William Brodie and George Smith, guilty of the crimes libelled, the learned counsel, Henry Erskine and John Clerk, held

a serious consultation with the agents. They thought they had discovered a fatal *flaw* in the indictment, which might arrest the impending sentence of execution. They therefore moved an arrest of judgment, on the ground that the prisoners were accused of breaking “*into the* house where the General Excise Office of Scotland was then kept,” whereas it appeared from the evidence that there were two such houses, and they defied the court to tell which was the one wherein the robbery was committed!

This took the court somewhat by surprise ; but Islay Campbell struck the objection to the ground. He insisted that it came too late—that it should have been raised as an objection before the case went to trial ; but even, he argued, if the matter were open, the objection was frivolous, because *the* house which was broken into was truly the house known by the name of the General Excise Office for Scotland, although he admitted that one or two of the Clerks were accommodated in another small house within a few yards of the large one, joined to it as a wing—the principal house which was broken into being hired, as he stated, at a rent of £300 per annum, and the small one at £8 per annum.

Their lordships unanimously repelled the objection, on the grounds stated by Islay Campbell, the Lord Advocate.

The prisoners, therefore, were adjudged to be EXECUTED at Edinburgh, between the hours of two and four afternoon of Wednesday, the 1st day of October following.

They were securely placed in the strong iron room of the Edinburgh Tolbooth, handcuffed and chained together by the legs. In that same dismal room, there were with them two other condemned prisoners of the names of Falcon and Bruce, for robbing the Dundee Bank. The latter were about to suffer death, but a reprieve for six

weeks arrived in Edinburgh ; hearing which, Brodie said to Smith, " George, what would you and I give for six weeks longer—it would be an age to us ? "

Mr. Creech, one of the jury on this celebrated case, and who knew Deacon Brodie well, as one of the councillors of Edinburgh, published, *inter alia*, this statement about him :—

" William Brodie appears to have been a man of a most singular and unaccountable character. During his imprisonment, and from the time of his receiving sentence till his execution, which was thirty-four days, he showed a mixture of character almost incredible. At times serious and sensible of his situation, and the next moment displaying jocularity and humour. This disposition continued with him till almost the last moment of his existence. The hopes of obtaining a pardon or an alleviation of his sentence to *transportation* seems strongly to have impressed his mind. In this view he occupied himself in writing letters, and many of them were sensible, forcible, and well written, especially one to the Duke of Buccleuch, requesting his interest to be sent to Botany Bay," &c., &c.

The above is the recorded statement of Mr. Creech. The following remarkable circumstances were communicated to us by Mr. Morrison, not unfrequently at his own table, when he got into the humour of speaking of John Clerk and the trial of Brodie and Smith, and other Edinburgh stories.

An attempt (said Morrison) to overpower the old Edinburgh city guard, and to let Mr. Brodie escape, was once contemplated by some of his friends, but was given up as utterly hopeless ; and an equally daring plan to break through the strong iron room of the Edinburgh Tolbooth, from its roof, was also abandoned as utterly hopeless. The prisoners had done their daring at the Excise Office, and other places ; but the Edinburgh Tolbooth, closely and particularly guarded at night and by day,

was beyond the power of their operations; yet Mr. Morrison assured us a most ingenious attempt, unparalleled in Scotland or anywhere else, was made, or attempted to be made, to save the neck of Deacon Brodie, even at the last moment upon the scaffold itself. The Deacon was to request and entreat to be left alone for a few moments before the hour of his execution, with one or two of his particular private friends, in order that he might speak with them confidentially about some of his private affairs ere leaving the world. This request being complied with, it was suggested that the important moments should be seized for introducing a small silver tube, made for the purpose, into his mouth and throat, and that a small piece of wire, from his head down to his sides and the soles of his feet, should be secretly employed, to save the *jerk* from the scaffold. The executioner was to be requested to give him not a long, but a short drop, and some other liberties were to be taken with the fatal rope ere the noose of it was placed around his neck on the scaffold. A surgeon, it was said, an intimate friend of the family, was to be in attendance, ready to bleed him, and to administer restoratives to him at the earliest moment after his body was cut down or released from the rope by which he was to be suspended for the usual time on the scaffold; and if this succeeded, he himself was to lie quiescent, and show no symptoms of active life in the coffin, which he knew was prepared, and lying ready for him at the foot of the scaffold; while at the earliest convenient moment that coffin, with its contents, was to be carried away to the house of Mr. Brodie himself in the Lawnmarket—not many yards distant, leaving his family to dispose of it by interment or otherwise as they saw fit. There were no burials of criminals of any description within the precincts of the jail in those days.

That is a modern resolution of the law, which we are not to disapprove of. Perhaps this very case led to the innovation.

Be that as it may, the striking fact has been recorded in all the Edinburgh papers of the period, that at nine o'clock of the morning of the execution, he had his hair full dressed and powdered, and at eleven o'clock he wrote in a bold, strong hand, the following extraordinary letter to the Lord Provost of Edinburgh :—

“ Edinburgh Tolbooth, October 1st, 1788,  
“ Eleven o'clock.

“ My Lord,—As some of my relatives cannot stand being present at my dissolution, I hereby request that your Lordship will permit — to attend ; it will be some consolation in my last hour, and that your Lordship will please give orders that my body after be delivered to —, and by no means remain in jail, that he and my friends may have it decently dressed and interred. This is the last favour and request of your most obedient, but most unfortunate

“ WILLM. BRODIE.”

It is singular to relate, but the fact is so, that this condemned man, Wm. Brodie, in his capacity as Deacon of the Wrights in Edinburgh, and Member of the Town Council, had previously been engaged to do all the wright work of the Incorporation of Edinburgh. In that capacity, and before these robberies were discovered, he actually made a new *scaffold* for the execution of criminals in the City of Edinburgh, and now he was to be the very first, with his companion Smith, to suffer upon it. It is also remarkable, that within a few short months of his own trial, he served as a *juryman*, in that self-same High Court of Justiciary wherein he was condemned.

## CHAP. VIII.—THE EXECUTION ITSELF, AND THE RUMOURS ABOUT IT.

WE hope we will be excused for placing before our readers the interesting account of this execution, as we find it recorded in the *Annual Register* of the year 1788, as follows :—

"On Wednesday, October 1st, Wm. Brodie and George Smith were executed at the west end of the Luckenbooths, pursuant to their sentence. The particulars of this scene are nearly as follows :—About eleven o'clock the chains which had been on Mr. Brodie's legs since his condemnation, were taken off. He was then visited by a few select friends with whom he conversed with the greatest composure. At this time he wrote a most distinct letter to the Lord Provost [above quoted]. At two o'clock a message came from the Magistrates, that they were in waiting, upon which Mr. Brodie said he was ready. He accordingly went down stairs, insisting that Smith should go first. Upon passing the room that Bruce and Falconer were in, he took his farewell of them, through the grate of the door, observing that as his Majesty had given them a respite of six weeks, he did not doubt but he would at last grant them a pardon. When he entered the west stair a glass of cinnamon water was given him by some of his friends, with whom he still conversed most familiarly. About a quarter past two the criminals appeared on the platform, preceded by two of the Magistrates in their robes, with white staves, and attended by the Rev. Mr. Hardie, one of the ministers of Edinburgh ; the Rev. Mr. Cleave of the Episcopal persuasion, in their gowns ; and the Rev. Mr. Hall of the Burghers. When Mr. Brodie came on the scaffold he bowed politely to the Magistrates and the people. He had on a full suit of black, his hair dressed and powdered. Smith was dressed in white linen, trimmed with black. Having spent some time in prayer with seeming fervency with the clergymen, Mr. Brodie then prayed a short time by himself. Having put on night-caps, Brodie pointed to Smith to ascend the steps that led to the drop, and in an easy manner, clapping him on the shoulder said, "George, you're first in hand." Upon this, Smith, whose behaviour was highly penitential and resigned, slowly ascended the steps, and was immediately followed by Brodie, who mounted with briskness and agility, and examined the dreadful apparatus with attention, and particularly the halter designed

*for himself.* The ropes being too short tied, Brodie stepped down to the platform, *and entered into conversation with his friends.* He then sprang up again, but the rope was still too short, and he once more descended to the platform, showing *some impatience.* During this dreadful interval, Smith remained on the drop with great composure and placidness. Brodie having ascended a *third time*, and the rope being at last properly adjusted, he deliberately untied his neck-cloth, *buttoned up his waistcoat and coat*, and helped the executioner to fix the rope. He then took a friend, who stood close by him, by the hand, bade him farewell, and requested he would acquaint the world that he was still the same, and that he died like a man. He then pulled the night-cap over his face, and placed himself in an attitude expressive of firmness and resolution. Smith, who had during all this time been in fervent devotion, let fall a handkerchief as a signal, and a few minutes before three they were launched into eternity. Brodie on the scaffold neither confessed, nor denied his guilt. Smith with great fervency confessed in prayer his being guilty, and the justice of his sentence. This execution was conducted with more than usual solemnity, and the great bell tolled during the ceremony, which had an awful and solemn effect. The crowd of spectators was immense."

The above details must be left to speak for themselves. We close this reminiscence by stating the fact that many believed that Deacon Brodie was never properly executed, that he had "*cheated the wuddy,*" as the old proverb hath it,—in other words, that he had eluded the vigilance of the hangman,—that he actually revived after being taken down from the scaffold, and was afterwards positively seen and conversed with in the City of Paris; while others declared that his neck was dislocated, and that the executioner effectually did duty upon him, as he undoubtedly did on the person of George Smith. Be that as it may, there was a real or supposed *funeral* of Deacon Brodie, direct from his own house to the Greyfriar's Burying-Ground of Edinburgh. His *coffin* at least, as taken from the scaffold, was therein quietly and decently in-

tered ; but the remarkable fact has been stated to us, that when the grave of Deacon Brodie was soon afterwards opened, not a bone of him was to be found. This may, or may not be real evidence of his escape. His bones anywhere, must long since have crumbled into dust ; but his trial, interwoven with some of the remarkable circumstances about it, will probably speak in the criminal records of Scotland for generations to come.

## CHAPTER XV.

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### SOME STRAY LEAVES ABOUT EDINBURGH AND ITS ANCIENT JUDGES—THE PARLIAMENT HOUSE, &c.

FROM Glasgow, with the leave of our kind readers, we will now take a short peep at Edinburgh in the olden time.

Prior to the separation or splitting of the ancient Court of Session into *two* divisions, in the year 1808, now called the *First* and *Second* Divisions of the Court, the ancient “fifteen” Lords or Judges sat together, and we remember perfectly of seeing them, at a round table, analogous somewhat in shape to a horse shoe, but covered over with handsome green cloth,—hence the saying, that when any poor litigant approached their Lordships, and showed probable grounds that he had a good cause, he got the benefit of “the green cloth”—in other words, his cause was managed for him in that court without putting him to much, if any, expense; but this board of green cloth has been superseded by better improvements, of a modern kind.

The *First* and *Second* Divisions had *seven* judges each in their new regime; but the numbers are now reduced to four in each division, exclusive of the Lords Ordinary.

The Puisne Judges in the time of the “fifteen” had only a salary of £2000 each per annum. It stands now at the figure of £3000, and is not overmuch. Perhaps we may surprise some of our readers when we inform them, that we have lived to see upwards of 50 Supreme Lords or Judges in Edinburgh pass away, but others of them are still to the fore. We have seen the Barons of the Exchequer Court, the Judges of the Admiralty Court, the Judges of the Commissary Court, all seated in their chairs of office; but not one of them at the period we refer to now remain in the land of living men, yet many of their decisions live, and are quoted with admiration by the race that is now rising. Let us give the names of some of those ancient judges, whom we can give from personal recollections, with their *juniors* who are still in the prime and vigour of life. We have seen *five* different Lord Presidents of the Court of Session, viz.:—The Right Hon. Islay Campbell, Robert Blair, Chas. Hope, David Boyle, and Duncan M'Neil. Four Lord Justice Clerks, viz.:—Charles Hope, David Boyle, John Hope, and John Inglis; and *twelve* Lord-Advocates, viz.:—Henry Erskine, Archibald Colquhoun, Alex. Maconachie, Sir William Rae, Francis Jeffrey, John A. Murray, Andrew Rutherford, Adam Anderson, John Inglis, Charles Baillie, David Mure, and James Moncrieff. Let us just give the names of the other *judges* referred to, whom we have seen and can still recognise, viz.:—The Lords Balmuto, Polkemmet, Craig, Robertson (two of that name), Craigie, Bannatyne, Glenlee, Balgray, Hermand, Gillies, Succoth, Newton, Pitmilly, Cringletie, Kinedar, Alloway, Meadowbank (two of that name), Reston, Corehouse, Mackenzie (two of that name), Medwyn, Eldin, Wood, Fullerton, Moncrieff, Jeffrey, Cockburn, Murray, Fullarton, Ivory, Curriehill, Handyside,

Deas, Cowan, Benholm, Dundrennan, Anderson, Ardmillan, Kinloch, Jerviswood, Ormidale, and Mure.

What a galaxy of talent and judicial eminence *that* list is—not surpassed by any other in the world. But we may soar still higher, by mentioning the fact, that we have seen no fewer than eleven or twelve Lord High Chancellors of Great Britain, viz.:—Lord Erskine, the Earl of Eldon, Lord Lyndhurst, Brougham, the Earl of Cottenham, Lord Truro, Lord St. Leonard, Lord Cranworth, Lord Chelmsford, Lord Campbell, Lord Westbury, and again Lord Cranworth.

We close *that* list, never to look upon the like again.

And now we proceed with some rather humoursome details connected with a few of the distinguished men referred to.

Before the separation of the Court of Session into two divisions, *nine* judges were necessary to make a quorum in the ancient Inner House. Business was sometimes delayed till that number could be completed; but as up to that period nearly all the judges lived in the old town of Edinburgh—many of them in the Canongate—it was easy to send to the residence of another to supply the place of any one who might be absent. When the decision depended on the voice of so many, it may easily be supposed that some would not be very carefully prepared, especially in those cases in which the judgment was to be formed from pleadings perused at home. It was no unusual thing to hear of a judge concurring with the majority or the minority, who had not read a word of the papers. He perhaps thought it no great sin to lean on the judgment of some more laborious brother, who would be sure to be prepared. On one particular occasion a judge was wanted to make up the requisite quorum, and

the Lord President sent for the celebrated Lord Kames, who was then in declining health, and not punctual in attendance in court. A case was to come on which had been discussed some time before, and in which Kames differed with the President. The latter was anxious to carry his point, and he calculated that Kames would not take part in the discussion, as, not knowing that he was to be sent for, he would not have read the papers. "Tell him (said the President to the messenger who carried the message), tell him, with my compliments, that we'll no bother him to speak, we only want

A STIRK TO FILL A STA'."

The message was faithfully delivered in that exact manner; but the old *moss improver* (as Kames really was), did not relish the compliment; yet he answered that he would attend their lordships; so he betook himself vigorously for a few minutes to the pleadings, and thoroughly mastered the case. When he reached the court, and the case itself was called for decision, Lord Kames allowed all the Judges present to speak before him—indeed, it was not expected that he would speak at all. It so happened that opinion was equally divided till it came to Kames's turn to give his decision, which he did most luminously, and it turned the scales. On taking leave of his brethren, he remarked,—“So, my lords, when ye want ‘a stirk to fill a sta’, ye ken whaur to send.”

LORD KAMES AND DR. DOIG.

It is stated, that with all his high accomplishments, Lord Kames had imbibed an inveterate practice of swearing—ye bitch, or ye d—d bitch, and this had so settled upon him, that on the day of his resignation, or last appearance in court, and after shaking hands with some of his fellow

judges, he exclaimed, "Farewell, ye bitches!" We give the following on the authority of the late Dr. Wm. Davie, Town-Clerk of Glasgow :—It happened that Lord Kames published some works which were rather cleverly but severely criticised in some of the Edinburgh Magazines or papers, and Lord Kames became exceedingly anxious to find out the name and address of his critic. Now, there was at that time in the town of Stirling a very worthy and accomplished man of the name of David Doig, teacher or master of its grammar school. He was the real author of the criticisms referred to, and Lord Kames, residing now at Blair-Drummond, finding him out, with a degree of generosity which few men, crossed in their path, inherit, sent the dominie at Stirling, who was now called Dr. Doig, a kind and special invitation to come and dine with him at Blair-Drummond. The dominie was marvellously surprised at such a distinguished invitation coming to him under such circumstances from his lordship. But he took courage, and with the advice of the Provost and Magistrates of Stirling, he resolved to avail himself of the invitation. They thought it was not only a great compliment to himself, but to the whole town of Stirling. So Dr. Doig proceeded to Blair-Drummond House. Espying him at the porch, out came the eminent learned lord, holding out both his hands, and saluting Dr. Doig—"Come away, come away, I'm right glad to see you, you *bitch*." "O my lord, my lord," says the dominie, "I've been often called a *dug* (Doig) before by the young brats in the town of Stirling, but I protest I've never been called a *bitch* till now from such distinguished lips." They afterwards enjoyed themselves exceedingly.

Before we quit this repartee, we may mention that our

old famous Scottish bard, Hector M'Neil, Esq., the exquisite author of "Will and Jean," equal to some of Allan Ramsay's or Robert Burns' best effusions, and somewhat in the same strain, appears to have known Dr. Doig intimately and well, and speaks of him in some of his most polished verses; whilst the Provost and Magistrates of Stirling seem also to have respected him so much that they erected an elegant tombstone over his grave at Stirling, more than fifty years ago. M'Neil has the following lines respecting him, which we hope our readers will excuse us for quoting :—

"The shades of dim twilight descend on the plain,  
The pale moon gleams faint on the grave,  
The voice of affliction tunes friendship's sad strain,  
Re-echoed thus back from the cave.

Vain mortals, whom learning and genius elate,  
Enthusiasts who pant for a name;  
Yon village bell, tolled by the mandate of fate,  
Proclaims—What avails lettered fame ?

He's gone ! to whom learning (though humble his lot)  
Fond smiling, unlocked all her store,  
Called genius to brighten the ardour of thought,  
And light paths untrodden before.

Alas ! ye fond muses, where now dwell your strain ?  
To these haunts will ye never return ?  
Mute save, when remembrance with all her dark train,  
And friendship thus wails o'er the urn.

Yet—yet shall the strain (if such strains shall survive  
The sunshine of life's fleeting day),  
Record what, if drooping perchance may survive  
The minstrel of some future day.

## THE FIRST SALUTATION OF FRANCIS JEFFREY BY LORD BALMUTO.

EARLY in his practice, Francis Jeffrey appeared one fine morning at the side bar in the outer house of Lord Balmuto.—This was one of the last of the *Scotiosori*—a large, heavy, very thick-headed man, with no learning and little capacity for attaining it (so he has been described to us by our departed friend Alex. M'Neil, Esq., Advocate). But, being a man of *interest*, which was all in all in his days, he won his way through subordinate offices to a place amongst the “fifteen.” In the present day his bristlings would be deemed coarse, but in his own it was perfectly in character. When Jeffrey was leaving the bar, but still within hearing, this colloquy ensues—

Lord Balmuto (to clerk below him)—I say, wha's that gaff, gaffing body?

Clerk—Mr. Jeffrey, my Lord.

B.—Mr. what?

C.—Maister Jamphrey, my Lord.

B.—Is he the son o' Jamphrey, the barber?—surely no, or he wadna speak in that gate.

C.—No, my Lord, a son of George Jamphrey.

It is to be remarked that *Jamphrey* was, though obsolete now, nearly the universal pronunciation of Jeffrey in those days. The trade of a *barber*, though now become so lowly, was then as thriving and respectable as any of the then incorporated trades: but Lord Balmuto's query, probably meant as derogatory to Jeffrey, was without any pretext in fact. The father of Lord Jeffrey was one of the ablest and most respectable practitioners of the law in Edinburgh. This sapient Midas (Balmuto) lived to see Francis Jeffrey the ornament and pride of his profession, but never to appreciate his talent. This was much beyond his reach—“He speaks so fast, and says so

mony things at aince, and quotes such a deal o' Latin, that I canna follow him ava."

In disposing of an elaborate petition (printed, of course) against a Lord Ordinary's Interlocutor, his lordship (Balmuto) makes this luminous deliverance—"My lords ; I have read this petition from end to end, and I have listened to your lordships' opinions with great care, but, really, the facts are so mixed up with the law, and the law with the facts, that I really dinna ken what to say—'am for refusing the petition."

Being the senior judge, he was elected to the chair for some day on which the Lord President was absent from temporary indisposition. A prize hog, in judicial habiliments, would not have looked much different. His bewilderment amongst the papers, and his remarks on his distress—gobbled out in deep, audible, but unintelligible gutterals—was fun itself to the throng of juniors encompassing the bar.

"My lords (said he), here's a petition for Ninian—Ringan we used to ca't,—Bannaytine, or something—for a curator. Has it been intimated on the wa'?"

Sir Walter Scott (clerk)—Yes, my lord.

Balmuto—Then it's a' richt—that's my opinion ; but (to counsel in waiting) ye had better ax the lave—*Anglice*, the remanent judges !

#### JEFFREY AND COCKBURN.

LORD COCKBURN, in his life of Jeffrey, has omitted some things, which we take leave humbly to supply, as affording, if not important, at least some humorous reading in its own way. Jeffrey had now been engaged in all the leading cases in Edinburgh. It happened that about that time some of the most momentous of all the real property

questions in this kingdom arose. All Scotland was concerned or embroiled about them. There was, for instance, the question about the Queensberry leases, involving the seigniory of a dukedom ; the succession to the Duke of Roxburgh, involving every question that could interest the antiquary or the man of property ; the testamentary deeds of James, Earl of Fife, involving the disposal of his vast estates. In all these cases, and many others, Jeffrey was one of the leading men, and wrote the papers with matchless power and great rapidity, and received large and handsome fees for doing so. Yet, in other cases of a far less description, he was the same strenuous and eloquent advocate. The amount of the fees, whether great or small, never moved him in the right discharge of his duty. He rarely knew, indeed, what it was ; but entrusted it *simpliciter* to his faithful clerk, Robert Sinclair. Knowing his generous failing in this respect, some questionable agents sent him, in many cases, most inadequate fees, and in hundreds of instances no fee at all. Those higher in influence about the court used often to wonder how Jeffrey, almost alone of all the great leaders at the bar, troubled himself, in particular, about *cessio cases*—a description of business then generally in the hands of the lowest practitioners.

We give the reason—and all who remember Jeffrey, in the zenith of his popularity at the bar, will acknowledge how desperately, even against desperation itself, he was wont to struggle for the poor victims of folly and indiscretion, or something worse, immured in jail for those crimes or offences.

His genial nature was singularly evidenced in his pleadings in these cases. A phrenologist would have discovered a *bump* for every one of his excellencies. On

taking up the papers in his chambers, he would issue a few good round oaths at the client, agent, and cause. This was probably *obstructiveness*. His clerk could not presume to speak to him—sometimes not even mention who the agent was, nor when the cause was to come on. At this stage Jeffrey was as morose as if fed on verjuice. But, somehow or other, into the papers he went, and his *benevolence* soon led him to make common cause with his client. His heart was with the unfortunate, and made him to take up the case with characteristic zeal. Now for the *combativeness*.

The Court being met, there was called

A REAL CESSIO-BONORUM CASE.

THE agent for the prisoner, petitioning for his *cessio*, comes running up to Mr. Jeffrey, in the Great Parliament Hall, and, touching his hat, thus addresses him :—"Sir, that *cessio*'s called." Jeffrey—"What *cessio*?" Agent—"Galbraith's *cessio*, sir." Jeffrey—"Eh! have I read the papers?" Agent—"Yes, sir; here they are,"—showing him a goodly packet. Jeffrey—"Oh! I read them last night. Who's against?" "Nobody, I believe," said the agent. But this was a mistake—everybody was against. An association of bankers, headed by a very excellent solicitor, viz., Mr. Wm. Ritchie (who assisted, we think, in founding the *Scotsman* office in Edinburgh), was their agent, and John Clerk was their counsel, primed and loaded against this *cessio*. Jeffrey fired furiously on seeing this unexpected opposition. The Court was hostile. But Jeffrey manned himself for the fight, and though the case had been the dukedom of Roxburgh it could not have been fought more vigorously in his hands. The issue was characteristic. Lord Hermand,

who was the senior judge after the chair, began thus :—  
“ My lords, I am against this *cessio*. Mr. Jeffrey must just say what he is bid, but I am of opinion that his client is a vagabond. If he has no money, he should have had it. Who is to support that child he had by Mrs. Mirrlees ? If he had nothing to support his child or children, he should not have gotten them. I see, my lords, that his name is Ferguson [but this was a mistake], and my own name is Ferguson ; but I *disown* him. I never heard of him before ; and I hope I will never hear the like of him again. Refuse, I say, the *cessio*.”

Lord Craigie (mildly) rather thought the poor man had suffered enough.

Lord Balgray—Why, my lords, I am not sure if I should judge in this case, for I see one of the bills was discounted in the Bank of Scotland, where I am the deputy-governor. (Lord President—That’s no objection.) Weel, my lords, if it’s no objection, I am really for granting the *cessio*. I agree with my brother, Lord Hermand, that the man’s a rogue ; but he has paid sweetly for’t. I think it was quite wrong to have had bastard bairns by Mrs. Mirrlees ; but that’s a’ o'er noo. Mr. Jeffrey, in his witty way, tells us that that’s a misfortune which might have happened to any one. But, my lords, Mr. Jeffrey should just speak for himself. (Great laughter in Court, in which Mr. Jeffrey cordially joined.)

Lord President Hope—I think we should grant this *cessio*. The pursuer may be a scoundrel, but if I had been sitting in the Justiciary Court, I could not have awarded to him a longer imprisonment than he has already undergone.

Jeffrey (well pleased)—Your lordships will dispense with the degrading habit.

This was a motion, of course ; but John Clerk, the opposing counsel, mortified at the overthrow of the opposition which he led, got into a rage, and in reply to Jeffrey for dispensing with the dress, he said—"Your lordships will do nothing of the kind ! All your lordships are of opinion that the man's a vagabond ; let him kythe in his ain clothes, with all the brands of infamy about them."

Lord President—But, Mr. Clerk, would you have this man to sit on the stone at the Tron, in his green and yellow doublet. There's no stone there now, and nobody knows what the habit is.

Clerk—That's no business of mine. *Davus sum non edipus.* Your lordships should not dispense with the degrading habit in the case.

Jeffrey—Why, my lords, looking to the bitterness of this opposition against my unfortunate client, I now move your lordships to award him his expenses.

Clerk (gruffly)—You had better move with your client to the Calton Hill Jail, where you will find him laid fast by the heels for perjury.

President—This is not a case for expense. We grant the cessio.

#### THE COGNITION CASE—DIFFERENT METHODS OF EXAMINATION.

IT happened that Jeffrey and Cockburn were engaged together in some cognition case, the details of which we need not give—it related to the sanity or insanity of one of the parties concerned.

"Is the defender in your opinion perfectly sane?" said Jeffrey, questioning one of the witnesses—a plain, stupid-looking countryman. The witness gazed in bewilderment

at the questioner, but gave no answer. Jeffrey repeated it, altering the words—"Do you think the defendant capable of managing his own affairs?" Still in vain. I ask you, said Jeffrey, "Do you consider the man perfectly rational?" No answer yet. He glowered with amazement, and scratched his head. Let *me* tackle him, said Cockburn. Then, assuming his own broadest Scotch tone and turning to the obdurate witness, he began, "Hae ye your mull wi' ye?" "Ou ay," said the awkward cimon, stretching out his snuff-horn to Cockburn. "Noo, hoo lang hae ye kent John Sampson?" said the wily advocate, saluting the mull and taking a pinch. "Ever since he was that height," was the ready reply, the witness indicating with his hand the alleged attitude. "An dae ye think noo, atween you and me," said Cockburn in his most insinuating Scottish brogue, "*that there's onything intil the cratur.*" "I would na lippen him wi' a bull calf" (*Anglice*, I would not trust him with the guardianship of an infant bull), was the instant and brilliant rejoinder.

The end was attained, amid the convulsions of the Court, and Jeffrey said to Cockburn that he had fairly extracted the essence out of him on that occasion.

#### THE ABERDEEN AND THE DUNDEE CASES.

JEFFREY, with all his remarkable powers, sometimes committed sad but laughable mistakes with regard to names. we shall only give two instances out of the many communicated to us. For example, coming one morning from Aberdeen to Stonehaven or Laurencekirk, after his circuits, and in excellent trim for his breakfast, he made expeditiously for the hotel in one or other of these places; and seeing a fine stout squat man standing at the door,

he hastily concluded that he must be the landlord. This conversation ensued :—

Jeffrey (brusquely)—Sharp morning, sir. Well, what can we have for breakfast ?

Supposed landlord—Really, sir, I cannot say ; but if you step in, they will perhaps tell you.

Jeffrey—You are a pretty fellow, indeed, of a Boniface, not to know what is in your own larder.

Supposed landlord (mildly, as was his wont in everything)—I am not the landlord, Mr. Jeffrey. I am only a casual visitor, like yourself.

Jeffrey—So then you know me ?

Supposed landlord—O yes, everybody knows you ; I am Mr. Crombie, advocate in Aberdeen, and have frequently had consultations with you in Edinburgh.

Jeffrey instantly remembered and apologised for his mistake ; but no apology was necessary to Mr. Crombie, then of Phisdo—a fine estate in the neighbourhood—purchased from the gains of an honourable and industrious professional life. He was the solicitor of some of the most considerable families of the North, including the Earl of Aberdeen, afterwards Prime Minister of Great Britain. In the course of his business we may tell this remarkable story, that Mr. Crombie was waited on one day by one of his distinguished clients, to make a settlement of his estate, now yielding in lease upwards of £10,000 per annum. To his amazement Mr. Crombie was told by the old proprietor that he was to be his heir, but Mr. Crombie protested against such an assumption, whereupon Mr. Dingwall of Bruckla, the maker of the deed, told him that if he did not prepare it according to his wishes he would get some one else to do it. Mr. Crombie, with all the power in his hands for his own benefit, formed the honourable

resolution to convey the property to the real heir, who, from a small station, subsequently arose to great wealth, and came to possess considerable distinction in Parliament.

But another and more curious instance of mistaking people occurred with Jeffrey, at a consultation in an important *maritime case* from Dundee, at which consultation the late John Henderson—who was a native of, and had practised as a writer in, that town—assisted as junior counsel, having by this time been called to the bar. It was remarkable that any one should make a mistake as to the identity of this gentleman, for he was very diminutive and a good deal deformed, but he had a fine expressive countenance. He had been several times engaged in cases with Jeffrey before the date of this consultation, and it was scarcely possible that his senior counsel could forget him. The consultation, however, proceeded at much length—every point was fully canvassed—and Jeffrey, as usual, was brimful of doubts and difficulties in the case; for he always liked, at these “consultations,” to show the worst part of the case to his clients. He had a peculiar *knack* of this, which sometimes gave offence; but it was generally turned to good account in the client’s favour in the end. On the occasion last referred to, every one present at the consultation—agents, clients, and others—being used up, Jeffrey, as if awaking from a momentary *reverie*, turned to Henderson, who had modestly remained silent during the whole consultation, saying, “Well, but I should like to know what our friend, the *skipper* here, says to all this.” Here directing himself very specially to Henderson—“What part of the vessel, sir, were you standing on when the collision took place—you halloo’d through your trumpet as loud as you could, didn’t ye?” “No, sir, I was not there; I

am not the skipper." Jeffrey—"What are you, then?" "I am the *junior counsel* for the pursuer!" Jeffrey was stung to the quick—fearing he had injured the young man in the eyes of his townsmen and employers. But it did him no harm, for Jeffrey ever afterwards took all opportunities of speaking well of this good man, whom he had really supposed to be the skipper.

In the multiplicity of their business, great mistakes have sometimes been committed by the greatest lawyers. We will only give two, on the authority of our early friend, the late Mr. Alex. M'Neil, advocate. When old Lord Hermand was pleading at the bar in early life, as plain Mr. George Ferguson, advocate, he got particularly warm and excited in one of his cases ; and, just as he was about to close his oration, the agent, who had not been present before, came up in great dismay, and whispered, loudly enough to be heard by ears to whom the whisper was not directed, "Oh! Mr. Ferguson ; ye've ruined us a'thegither ; ye're pleading on the wrang side." Thus checked, and reminded of what he ought to have done, Hermand, with great presence of mind, proceeded—"Such, my lords, is the case which the opposite party will make, and which I have presented to your lordships in the strongest possible terms. But I will now proceed to show your lordships how utterly groundless it is ;" and so he took up his own previous arguments, one by one, and refuted them all !

On the separation of the Court into two divisions in 1808, and on the first day of their meeting, the courts were very much thronged, and it was with great difficulty that even counsel could find their way to the front row. Adam Gillies (afterwards the celebrated Lord Gillies) was then in the zenith of his practice at the bar. He had

been instructed to support some *petition* or other ; but, whether from the previous night's jollification, or whatever cause, he thought he was engaged for the respondent *against* the petition. He had no previous conference with the agent, and that worthy could not force himself within the doors of the Court, so great was the throng ; and thus Gillies was allowed to proceed, all unaided by any informant who could give him the needful instruction. Alas ! for the client ! Gillies took the wrong side ; and, in a masterly speech, *refuted* every word of the petition, and got it refused without answers and with costs. On coming out, he congratulated the agent on their easy victory. "Victory, and be d——d," said the irate scribe, "ca' ye that a victory ? Did ye no see that ye were for the petitioner, and not against him ?"

Gillies, it is said, to make amends, paid the whole costs out of his own pocket—a rare thing for advocates to do. No judge in Scotland was so much respected for the soundness of his opinions as Lord Gillies.

FRANCIS JEFFREY AT THE BAR IN THE HOUSE OF COMMONS AND  
THE HOUSE OF LORDS.

IT is perhaps exceedingly presumptuous in us, as some may think, to refer so particularly to such an eminent and distinguished man as Francis Lord Jeffrey, in these crude Reminiscences ; but we had the honour to enjoy much personal intercourse, as well as correspondence with him in early life. We have dozens of his letters to us preserved, and some of them may see the light by-and-bye ; but we go on to make a few additional memorandums about him which will not, we hope, be displeasing to our readers.

We have already remarked, that at consultations with

his clients in any case, no man started more doubts and difficulties than Francis Jeffrey. He did so, we believe, for the praiseworthy purpose of *testing* the weakness or the strength of the case: but when the case itself approached the goal of a trial, whether before a jury, or a judge without a jury, or the whole court itself, on special occasions Francis Jeffrey struggled with the utmost energy of which human nature is capable, as if no doubt whatever had previously existed in his own mind about it. As instances of his energy in struggling almost against hope, we may here refer to his pleading for Mrs. Mackinnon, the Edinburgh murderer, in which he was unsuccessful; and for Mrs. Smith, an alleged murderer of a servant girl, with whom her son had had an amour. Here his efforts were Herculean, very nearly to the destruction of his own life, and certainly to the injury of his constitution for all his future. It was at this trial, and in the course of his great exertions, that he contracted that disease in his throat, which was so productive of discomfort in, and even detriment to, his public appearances in Parliament. In court it had no effect, as he could modulate his voice to the distinct hearing of every one; but it was very different in the House of Commons. It rendered him inaudible to a great proportion of his audience, particularly those who were not familiar with his usual intonation. Lord Cockburn makes a strange mistake, we take leave to say here, in ascribing the occasion of this injury to the case of Mackinnon—there being no doubt that it happened as we have now stated.

With reference to his appearance in Parliament, as the Whig Lord Advocate of Earl Grey, the father of Reform, and to the defence of his seat for the Dundee district of burghs, which he lost under the judgment of his own

friend, Lord Brougham; but it would be too much for us to enter on its details in this place, interesting though some of these undoubtedly are; therefore we shall just make one single observation about it rather of an amusing sort, which came within our own observation. We heard one of his first speeches in Parliament. The gallery of the House of Commons was crowded to excess; but nine-tenths of its auditors, not knowing him personally, took for granted that he was some Irish member. The Right Honourable John Wilson Croaker, then secretary of the Admiralty, a distinguished leader of the Tory side of the House, a very able and clever man, who had much to do with the *Quarterly*, but was dead set against its rival, the *Edinburgh Review*, which Jeffrey conducted as editor for many years, made a slashing attack on Jeffrey, which we need not more particularly refer to; but while Jeffrey was going on with his speech, old Admiral Sothern left the House, and was strolling up and down the lobby, occasionally looking in behind the Speaker's chair to see how the debate was progressing. We heard him burst out with the following words applicable to Jeffrey, whom he did not know:—Is that damned *Irish* lawyer never to be done? We touched our hat, and said he was a Scotchman. “Oh, then,” said the Admiral, “the Thistle of Scotland, the Sprig of shillelagh, and Shamrock so green!”

*Appropos* to this, we once heard Sir Isaac Coffin, a real Irish member, address the House in this blunt manner, “Mr. Spaiker,—all I shall say is, that in my opinion, Ireland, my country, shall never be right, till she is forty-eight hours under the *say* (sea),”—a bold statement, certainly, which set the House in a roar; and we wish the *Fenians* of the present day would consider it. A dip in the sea would be better, we should think, for

some of them, than a halter about their necks for high treason.

Leaving his first and last appearance in Parliament at the point we have done, we must for a few moments refer to the brilliant appearance of Francis Jeffrey in Glasgow, as Lord Rector of the Glasgow University. Never was there a more animated election within its walls. Who does not remember his classical appearance in his robes of office? Alas! we fear there are few now alive who does so, or felt the thrill coming over them, as, in a state of quivering emotion, he uttered these words—"In this revered place, and on an occasion when it is reported that Edmund Burke faltered, *and Adam Smith became silent*, it would well become me to follow the example of the latter." He paused, placing his hand upon his heart,—the tears glistening in his matchless eyes; but he recovered, and launched forth into a strain of the most fervid eloquence, referring to the departed fathers of the University; the great men it had produced, some of whom he conjured up, in tones and in a manner as if presenting them in actual life before his enrapt audience. That, we take leave to say, was truly a great day for the University of Glasgow, for it led to the subsequent election of some of the most illustrious men of the age; amongst whom let us note Sir James M'Intosh, Henry Brougham, Sir James Graham, Lord Stanley (now Earl Derby), Thomas Campbell, Henry Cockburn, the Honourable Fox Maule (now Earl Dalhousie), Sir Robert Peel, Lord Macaulay, and last though not least, the present Lord Justice-Clerk Inglis, all of whose inductions we had the privilege of hearing. We ourselves voted for the election of the Lord Justice-Clerk Boyle, so long ago as the year 1815.

We hope we may be excused for giving one small passage in Jeffrey's life, from an occurrence which we partly witnessed in the House of Lords, where he was often engaged in appeal cases from Scotland. We refer now to

THE MARRIAGE CASE OF HONEYMAN *v.* HONEYMAN, BEFORE  
LORD BROUHAM AS CHANCELLOR.

IT is almost superfluous for us to remark, that in early life Jeffrey and Brougham were bred together, and were bosom friends; but Jeffrey had passed the Edinburgh bar some five years before Brougham, and therefore was his senior in that respect. When Brougham became Lord High Chancellor of England, and Jeffrey in the same year became Lord Advocate of Scotland, it was amusing sometimes to hear the *colloquies* between them in that august assembly the House of Lords. Any stranger entering the House when thus engaged, would imagine that the Chancellor seated on the Woolsack had some bitter spite or antipathy towards the Lord Advocate at the Bar. But it was not so—the very reverse was the case. But this vividly happened: Jeffrey, on opening one of his appeal cases, intimated that he was afraid he must detain their lordships at some length. “Aye, Lord Advocate,” said Brougham, “but please remember that *length* is not strength.” Jeffrey knit his brows, and said, “Well, my lords, I will endeavour to compress my arguments.” “No, no,” said Brougham, “proceed as long as you like; we are always glad to hear you.” Jeffrey became suddenly unwell, and was obliged to leave the House.

When he next appeared at the bar, it was to defend the judgment of the Court of Session in the celebrated marriage case of Honeyman *v.* Honeyman, which we refer to chiefly because it enlisted the loftiest feelings of Francis

Jeffrey in behalf of the injured lady ; and brought his splendid talents to conquer, almost at the last stage of desperation, in the House of Lords. We may give the outline of the case with some delicacy, but without any fear of offence, in a few words.

An accomplished and beautiful young lady was engaged as governess in a distinguished family, the head of which was an eminent retired judge of the Court of Session. She was wooed and won by his eldest son, who was then a member of Parliament, and of ripe years. He afterwards succeeded to his father's estates and title, as one of the *Baronets* of Scotland. His passion and proposals were perfectly honourable, and so received. There were some prudential reasons against the disclosure of their private marriage, into which the lady fully entered. She twice became pregnant ; but, by most extraordinary and unheard of efforts to screen her husband from the truth, or the vengeance of his relatives, the fact was never even suspected in his family. After her first delivery, she went from her residence in Lanarkshire to Edinburgh—a distance of nearly thirty miles—with the child ; and, on the day after, she came back the same distance, and resumed her duties ; as if she had been only absent the better half of three days she had asked to visit her friends.

In the course of a few years, and in the change of affection, which is sometimes too often brought about, the husband of this heroine stoutly denied the marriage, and cast her off. She therefore raised a process of declarator of marriage against him, before the Commissioners of Edinburgh, or in the Court of Session. An interesting process it was. The court found the marriage to be clearly and completely established by the evidence. The young discomfited baronet entered an appeal to the

House of Lords, and this is the appeal we are now going to refer to.

The Right Honourable Dr. Lushington, and Mr. Erskine Douglas Sandford, brother of the late Sir Daniel K. Sandford, Professor of Greek in the University of Glasgow, were counsel for the appellant; the Lord Advocate Jeffrey, and Mr. Alex. M'Neil, of the Scotch bar, whom we have already particularly noticed in some of the early chapters of these Reminiscences, were counsel for the respondent.

On the first day of hearing, the Law Lords were evidently against the marriage. Jeffrey, in his opening for the respondent, was telling their lordships "that the parties constantly behaved towards each other as husband and wife." "Behaved as man and wife!" exclaimed Lord Brougham, "I don't quite understand that; you don't mean to say, Lord Advocate, that they were *always* quarrelling?" Jeffrey, at this salute, became suddenly unwell, and was obliged to retire from the bar—leaving the subsequent management of the case to young M'Neil, whose whole heart and soul was in it for the poor struggling respondent, who had then not a penny in the world, and her counsel were pleading gratuitously for her, from sheer compassion for her unmerited wrongs.

After Jeffrey had thus left the bar, our friend M'Neil, going on with his speech, was literally buffeted, as he himself admitted, from post to pillar, by the Chancellor and Lord Lyndhurst, as if he were trying to establish some wild chimera in the law of marriage which only the enthusiasm of an ardent junior could conjure up—yet he kept his ground manfully, and this case helped him materially into future practice. The case stood adjourned till the following morning at eleven

o'clock. M'Neil, after the Peers rose—we heard this out of his own mouth—repaired, with great anxiety and trepidation, to the Lord Advocate's lodgings, in Jermyn Street, to enquire after his lordship's health, and to make him acquainted with the peril in which the case apparently for the poor lady then stood. Jeffrey heard that sneers and unwarranted reflections had been made against her by the appellant's counsel; and, sick as he was, lying, indeed, almost prostrate on his sofa, he started from it, and grasping M'Neil by the hands, and in a glow of virtuous indignation exclaimed, “By God, I'll vindicate and defend her; I'll go to the House to-morrow morning at all hazards, though I should die on the floor of it!” and, true to his word, he did appear next morning muffled up; but he burst forth into such a glow of eloquence, fortified with reasoning and powerful facts, that he carried the Law Lords completely with him. They affirmed the judgment of the Court of Session, with costs—in other words, they decided in favour of the lady; and one of the female children born in the above manner, who, but for that judgment, would have been cast off and declared *illegitimate*, is now one of the richest married ladies, through mineral wealth, in this part of the kingdom!

A much livelier and lighter story occurred with Jeffrey and another lady of a different description—young, amiable, and clever withal. It has frequently been told, and is given with infinite humour in the number of *Blackwood's Magazine* for October, 1821, under the title of Mrs. Ogle of Balbougle. The names are there feigned, and there is some little exaggeration about it; but the germ of the story itself is founded on perfect truth. It created, as we very well remember, unbounded merriment

at the time in Edinburgh ; and perhaps we will be excused, if, following in the wake of Dean Ramsay, we give it shortly and plainly as follows :—The young damsel referred to was a great favourite with Mr. Jeffrey and his elegant and accomplished wife. Mrs. Jeffrey, we may remark, was an American lady ; for it is the fact that he followed her, and sought the heart and hand of “his ladye love” across the deep deep sea, and married her in America, during the time of the last American war with this country, in 1812 ; and brought her, after a long and dangerous voyage, safely and happily to Edinburgh, where he again resumed his duties with more brilliancy than ever. His adventure in this respect was regarded by the *quid nuncs* of Edinburgh and other places as a perfect romance in real life, but the happy pair themselves had no reason to regret it.

The clever young lady, who played the singular *trick* upon him we are about to notice, was gifted with considerable powers of mimicry. She had been invited to dine with a select but rather distinguished party, in Jeffrey’s house, on some particular occasion ; and here it was that she determined to practise her own powers on the brilliant advocate and reviewer. She had dressed herself up in an old lady’s attire of the gayest fashion of the preceding century, and reached the house of the advocate just as he was about to dress for dinner. She announced herself to his servants as Mrs. Ogle, of Balbougle, who had just arrived from Fifeshire to see him on important business of the most pressing nature. She soon obtained an audience at that, to him, most awkward hour ; but it was ~~for~~ that very reason she preferred it. She pretended to cough, and shook him, in her gloves, pretty cordially by the hand. He blandly told her to be seated.

She went on in the most composed but resistless tones to tell him that, hearing he was a very clever man—at the top of his profession in Edinburgh—and skilled in all things, that she had come from Fifeshire to consult him, and—perceiving that Jeffrey did not in the least recognise her—she commenced a long and affecting eulogy on the virtues of her *departed husband!* at which Jeffrey began to infer that her visit probably related to his old marriage contract or deeds of settlement; and he intimated that her better course would be to put her statements in a written memorial, and send them to him, and that he would lose no time in giving to her the best opinion in his power. This, however, would never do for the ploy intended. So the persevering and clever damsel stepped from one topic to another, having nothing earthly to do with law—such as the best mode of educating her daughters! managing her farms! and, finally, she gravely asked his advice as to the best *dentist* she could employ in Edinburgh to cure her of the toothache! She actually got the advice, but, not contented with getting it, she urged Mr. Jeffrey to write down the name and designation of the dentist, as her memory, she said, was getting frail and detective! Though his patience was now nearly drained to the dregs, he complied; whereupon Mrs. Ogle of Balbougle, withdrew—Jeffrey, with all politeness, wishing her good afternoon. The learned gentleman rushed to his dressing-room, made his toilet hurriedly, and was only able to join the circle in the drawing-room long after the hour at which the guests were invited—making many apologies for their detention, as he had been detained “*by important business.*” At this stage enters the supposed Mrs. Ogle, handsomely adorned, and sparkling with all her beauty bright. She now smiled in his face, shook him

cordially by the hand, thanked him for his advice, and presented him, to his astonishment, with the recipe he had given her, with the name of the dentist, a few minutes before! Jeffrey enjoyed the joke as much as the rest of the party ; but it got wind, and raised many a hearty laugh at his expense. The real name of the lady was Miss Stirling of Duntreive, in Forfarshire.

We close this long rig-marole chapter by the mention of a queer fact, which we may bring to tell ironically upon ourselves in this particular place. When Jeffrey wrote some of his splendid articles, and corrected the press for the *Edinburgh Review*, it is known he prided himself on great accuracy in punctuation, and the abundance of his stops. Very late in life he jocularly remarked that his fame would probably rest on his punctuation! Mr. D. Willison was his favourite *printer* in Edinburgh; and, knowing this fancy, Willison, on one occasion, gave commas in some celebrated paper as he thought to the perfect content of the critic's heart. The excess was so palpable, that Jeffrey for the first time in his life became angry and annoyed with his printer; and returned the "revise," with a *memorandum* to this effect. "Mr. Willison really seems to keep a d——d pepper-box of commas at his elbow, for the purpose of dusting his proofs with."

We much fear that our readers begin to think that we are only detaining them with a great quantity of trash, and therefore we will try to condense it as much as possible in our next few varied chapters.

## CHAPTER XVI.

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FIRST GAS ILLUMINATION IN GLASGOW—JOHNNY CORRIE—THE OLD THEATRE ROYAL IN QUEEN STREET, AND THE BEAUTIES THEREIN, &c., &c.

'Tis dark as pitch! 'Tis dark as pitch!—was the password, the exclamation, and the reply often and again, thousands on thousands of times over in this city, some fifty years ago, ere the gas lights came to be introduced into it. Here and there, on the lone streets, stretching from the Gallowgate to Jamaica Street, there might be observed, the feeble twinkling of a few *oil lamps*, on their elevated wooden pedestals, but nothing else in that shape could be discerned, unless the moon and the bright stars of Heaven broke through the darkness, and dispelled the gloom.

There were not more than half a dozen of *lamplighters* at that time to accommodate the wants of the whole city; and it was sometimes amusing to see them baffled in a windy night, while trying to light up the oil cruzie. The urchins of the city enjoyed a sort of pleasure in seeing them fairly bamboozled; and there was a rough sort of poetical ditty rung into the ears of *Leerie*, the lamplighters, when engaged in these evenings' avocations, which some amongst us may yet remember, and which

we may be excused for giving. See, there goes Leerie! and the boys would run after them screaming out at the top of their voices—

Leery, Leery, light the lamps,  
Long legs and crooked shanks;  
Kill a louse—catch a flae;  
Hang Leerie o'er the brae!

We may state this other fact with greater propriety, that in going out to tea, and evening parties, and returning from them "*in timeous hours*," the matrons, or married ladies of the city with their fair daughters, were preceded at a short distance, not more than a yard or two, by Nelly or Matty, or Peggy, or Jeanie, their respective *chambermaids* or servants, carrying the *Bouet*, viz., the three-cornered oil lantern, cautiously in hand; and *curtseying*, when Matty, for instance, came to any *dib* on the pavement to be avoided by the ladies in their high-heeled pattens. There were no such things as cabs or omnibuses to be seen in all the city in those days, for the very good reason that they were not then in existence amongst us, nor for many years afterwards. We remember the first *noddy* that stood in Virginia Street, and it there stood unyoked for many a long day without hire, as the douce canny citizens thought they might be considered guilty of extravagance, if they were seen setting their feet in "ony sic carriage;" and the poor but enterprising owner of it was about to give it up as "a desperate bad job," when, at a solemn meeting of "the haill Magistrates and Town Council" assembled for the purpose, they voted him a *solatium* of £5 sterling, and that sum of £5 set the noddy rattling on its wheels through the city, and conducted to the swarms of them which we now see in every street in Glasgow, and far beyond it! There were, no

doubt, a few *sedan chairs* in Glasgow at the period referred to—not more than a couple of dozen, capable of holding only *one* solitary individual in each, and carried by two caddies, or street porters, on *shanks'-naigie*. But a grand dinner party at four o'clock (fashionable hour), or a grand “*tea and turn out*” at six—home at ten—placed Matty, or Tibby, or Jenny, always in the vantage ground, with their bouets or their lanterns. They were like the advanced or retreating guards in some besieged city at nightfall, and they generally marched with wonderful circumspection for the safety of their liege lords or ladies. It was, we suppose, on one of these occasions, when the young English spark noticed in the novel of *Rob Roy* on his first visit to Bailie Nicol Jarvie, attempted to take some liberty with dear faithful Matty in particular, while she was walking in bashful beauty with her lantern before him, which gave rise to the Bailie’s smart rebuke—“Nane o’ your London *tricks* here, sir,—My conscience! Matty!” True, this is, to the very life, as respects these ancient lanterns, no longer to be seen in the advance, or the retreat, of any social party in this now great and brilliant city!

Yet these transient remarks may bring some of our younger readers to have some idea—they surely cannot offend any of our old ones—as to how the city was really lighted up at the period referred to in this chapter; whilst, at the same time, they may help to disclose the striking and wonderful effects that were accomplished when the *gas* came to be first introduced, in the year 1818—a memorable year certainly it was for Glasgow; and we feel it to be a privilege, nay, a pleasing duty, to record it for the first time in these pages, ere our own feeble lamp goes finally out.”

Assuredly it is no exaggeration for us to declare, that the introduction of gas into the city effected a complete *revolution* in Glasgow. It completely changed the whole aspect of the city, outwardly and inwardly. Yet it was timidly, and slowly, and somewhat reluctantly accomplished. The oil lamp, or the *cruzie*, and the bawbee or the penny candle, including, of course, the ancient *bouet*, had been transmitted down from one generation to another. And no later gone than the year 1818, many intelligent persons in the city utterly and absolutely scouted the idea that *lamps* could be lighted from *coal*, or could, with *metal* pipes, supply anything at all equal to the above moveable commodities, or their auxiliaries, the farthing rush-lights or cotton wicks, or balls steeped in oil, whether of the common or finer spermaceti sort, vended in the huxters' shops or other places, at so much per gallon. The idea, we say, about the GAS itself, was actually deemed by many of the greatest magnates then in our city to be utterly preposterous, wild, and extravagant—as wild, if not more so, as when about the same period the idea of building vessels with *iron*, and getting them to float upon the waters, was set down as the projection of “some madman or other about Port-Glasgow,” of the name of Wood—so he was spitefully called; but he deserves, with others, to be immortalised. And madman, or witch, or warlock, or something worse, he or they would at a later period have been characterised, if predicting that, by a process of telegraphic wires, Glasgow could exchange messages with London within the space of half-an-hour. We almost shudder when we read now-a-days of the cruel fate of certain “witches and warlocks” of bygone times. They were only geniuses, we think, in humble disguise.

Be that as it may, it was of an evening, as we very well remember, in the first week of the month of September, 1818, that the strange news ran from house to house that there would be an experiment with *gas* in the shop windows of old Mr. James Hamilton, grocer, No. 128 of the Trongate, situated half-way between Hutcheson Street and the Candleriggs. Mr. Hamilton, next to old Mr John Swanston, the father of the grocer trade in Glasgow, was deemed to be a *douce, sober man*, of good estate, and surely given to “no rash infatuated project.” He was one of the twenty-four “Commissioners of Police,” who ruled much the affairs of the city, and sometimes had queer *rippets* with the magistrates—ever asserting their own dignity at their own ‘*Broad*,’ as some called it ; but that ancient “Board of Commissioners of Police” had often the most laughable and even outrageous skirmishes and battles amongst themselves, which sometimes gave rise to loud fits of cachinnation under the pillars of the old Tontine, besides drawing bloody noses elsewhere. Mr. Hamilton, however, was the peacemaker on all occasions ; and, in his drab coat and breeches, rig-and-furr stockings and shoe buckles, a fine portrait of him was taken, and hung up in the Hall of the Commissioners—the only public compliment, we think, that was ever paid to any other Commissioner of Police in this city. We hope it is still preserved. Mr. James Hamilton, the grocer, got quite elevated about the gas. He confabulated with Mr. James Beaumont Neilson—a most wonderful man, who erected the first gas meter in Glasgow, and became the inventor of the hot-blast, which has raised the iron trade of Scotland to such a pinnacle of power, and so deservedly earned for himself and his family a large fortune, which at one

period of his life he never contemplated—and the two together, with other friends, set the first gas apparatus in motion, on a small scale at the beginning, in Glasgow. It is almost ludicrous for us to notice the *consternation* which the mere mention of it sometimes occasioned amongst the ancient matrons of the city. They actually began to *denounce* the old grocer, and threatened to shun his shop—celebrated though it was for its genuine goods, hams, eggs, cheese and butter, tea and candy sugar, &c. They averred that the very *smell* of his gas would infallibly injure the flavour of his tea, corrupt his sugar and his quarts of Highland honey in the comb, and taint his delicious jars of tamarinds and spicy pickles, and other things from the West Indies. They would have nothing more to do with his shop, contaminated with his gas. The old philosopher of a grocer was really sometimes sorely amazed and perplexed with such or similar prognostications ; but he kept firmly to his purpose. He said he would just try the experiment “for *twa* or *three* nichts” and see how his *sax jettees*—the name he gave for his six small burners, which was all he would venture on at first—would really get on ; and if they did not give perfect satisfaction he would just turn them off, and recur to his auld three candlesticks as usual.

Whatever disquietude or alarm he created in the minds of the old ladies of Glasgow about his gas experiments, it is certain, and we can vouch for the fact by a pretty accurate knowledge, that this old respected gentleman became all of a sudden, and to his own most agreeable surprise, a mighty favourite with almost every young lady in the city, as well as every young gentleman in good society within it. For, when the young ladies sallied forth from their tea-parties in the evening in company with their

faithful lovers, and, with the sanction of their fond parents, to view this first astonishing experiment with gas in the old grocer's shop, and there beheld for the first time their own charming faces reflected from it, they were lost in wonder, love, and praise and saluted; or kissed each other, not darkly but brilliantly, in the Trongate of Glasgow, then as now one of the finest streets in Europe. Hurrah, then, we shall say, for old Glasgow! Truly this was then a most marvellous sight for Glasgow. How many yet remember it? Alas! only a few compared with the numbers then in existence: nor are we guilty of any presumption when we state, that it was the means of uniting many hearts in Glasgow. It struck, we are not ashamed to say, the first flame of love in our own hearts at the time; and woe be to him that ever denied the charms and the blessings of virtuous love!

If it be right, as it surely is,

To teach the young idea how to shoot,

then we say that this first gas illumination in Glasgow brought the city from darkness into the highest state of perfection—thanks, we again say, to the young ladies of Glasgow, especially, for doing so, for they soon conquered their mothers' fears; and the old damsels themselves ventured out for the first time in their lives without their *bouets*, in the evening; the gas soon eclipsed those articles in every quarter of the city; and the grocer's shop, instead of being deserted, got into the highest state of favour and distinction; and grocers, and spirit dealers, and tambourers, and haberdashery establishments, and everything else—all along in the Trongate—envied the great good run of their neighbour, old *Cockey Hamilton*, the wonderful commissioner of Police, superseding the very moon

and the stars in his once blinking and *bleary* establishment in the old Trongate of Glasgow! The very lamplighters threw down their ladders, and became entranced with a delirium of joy, when they passed the grocer's windows with his "sax jettees," burning brightly in spite of wind or weather.

Yet it is curious for us to remark, but the fact is so, that the original Directors of the first Gas Company in Glasgow, had the utmost difficulty to get the gas introduced into private dwelling houses, although, we believe, there is not a dwelling house at this moment in all Glasgow that is without it. Many of the best citizens believed that it would blow them up if introduced into their houses ; and the Insurance Offices or agents then in the city—some twenty in all—laid their heads together to increase their insurance rates, so as to meet "the dangerous risk." At last the original struggling gas directors, whose names we shall give presently, had the consolation and great satisfaction (so their own original minutes, which we have handled, inform us) of receiving a written application, the first of its kind which reached their hands, from the following six personages, requesting to be "admitted to the privilege of receiving the gas on moderate and reasonable charges." It is a great curiosity to us to be enabled to refer to such a document, and here are the genuine and undoubted names, *viz.* :—

Mr. John Strang, 137 Stockwell.

Mr. William Dick, 42 High Street.

Mr. D. M'Gregor, Kings' Arms Inn, Trongate.

Mr. John Carss, Moodie's Court.

Messrs. Alex. Blair and John Renfrew, Montrose St.

We fix on the *first* of these names in particular in this

place, because it leads us to mention the interesting fact that old John Strang in the Stockwell, who headed that list, was the father of our late esteemed city chamberlain, Dr. John Strang. It was in that house of the Stockwell, wherein the lovely Miss Strang, one of the greatest *belles* of the city, bestowed her hand in marriage on the late William Dixon, Esq., of Govanhill. It was regarded as one of the “beinest,” or coziest, and most spacious houses in that ancient but then sprightly quarter of the city; and at a more recent date it formed the headquarters of the Sheriffs and the Sheriff-Clerks’ Chambers, till they removed to the new County Buildings in Wilson Street.

It is singular we can find no record extant in any old minute-book of the directors of the first gas illumination itself or its results; and it is still more singular to observe that the newspapers then in the city give us little or no information about it. The only thing we have discovered bearing on this is the following quaint memorandum of the directors, and it affords us some pleasure to bring it now to light.

*12th September, 1818.*

Present—the following committee and directors, viz., Henry Monteith (of Carstairs), Robert Jarvie, merchant, Maxwellton Place; Walter Ferguson (clothier, Argyle Street), James Hamilton (grocer), Alexander Finlay (carver and gilder, Trongate), Thomas Dunlop Douglas (merchant, the only original director now alive), William M‘Gavin, (manager of the British Linen Company.) The “meeting orders tubes to be fitted up in the retort room, to be used for their business *in place of candles.*” Then, at another meeting, “*the clerk* (for they had only *one* clerk at the commencement) is requested to use all manner of diligence in preparing the receipts for the collectors.” It

would be pretty hard work, we should think, now, for a good many clerks to prepare the receipts for the collection of 1866. But the following is the only tangible evidence we can lay our hands upon, from the *newspapers* of that day, about the first appearance of the gas in Glasgow. It is in the shape of a letter addressed to the editor of the old defunct *Chronicle* :—

“ SIR,—In common with the inhabitants of this city, I have been much pleased with the fine appearance of the gas light, as it is exhibited along that part of the Trongate which lies between the foot of Candleriggs and Glassford Street. The superior brilliancy is particularly evident after the shops have been closed ; and I have been induced, on a variety of evenings, to ascertain the proportions of light which the new lamps afford, in comparison with the old oil lamps. By the different trials which I made, I find that by the lowest computation the gas lamp is, to the common oil lamp, as eleven to one, and that the former sometimes exceeds the latter as fourteen to one.—I am, Sir, your obedient servant,

N.”

That letter, we have reason to believe, was written by Mr. Neilson, previously referred to (the father of the present Colonel W. Neilson, of Mossend), who subsequently conducted the gas operations of the city with great and eminent success. Dominie Sampson, if alive, might truly have called it “ *prodigious!* ”

We have already referred to the old grocer’s shop in the Trongate; and to his original “ *sax (six) gas jettees.* ” It will hardly be credited now, but it is the fact, as we hereby inform our kind and courteous readers, that, although Buchanan Street, now the richest and grandest perhaps of any in the city, and sparkling with lustre on all sides, had then (year 1818) only *seven* houses or tenements lighted with gas. We can give the names of the owners or occupiers of these seven tenements, from an old

original memorandum book in our possession, the authenticity of which cannot be doubted. They are as follows:—John Campbell, sen., & Co., No. 9 (back land, where Messrs. Stewart & McDonald's new premises were recently erected); Robert Thomson, merchant, No. 8; David Wilson, surgeon, No. 15; William Rodger, No. 39; John Maxwell, of Dargavel, Henry Monteith, No. 53; Miss Eccles, John Gordon, of Aikenhead, No. 64. In St. Enoch Square, there were only *four*, viz.:—Laurence Craigie, ex-Lord Provost and Collector of the City Cess; Mrs. Orr, of Ralston; Andrew Thomson, banker; C. D. Donald, writer. In St. George's Square, only *eight*, viz.:—Archibald Bogle, Secretary of the Cranstonhill Water Company, No. 1; William Church, manufacturer, No. 2; Miss Hamilton; William M'Gavin (the Protestant); Robert Haggart, merchant; John Forlong, jun., merchant; George Hutton, hotel-keeper; James Black, Lord Provost. In Great Upper *Nile Street*, as it was then called, only *two*, viz.:—James Clelland, Superintendent of Works, and author of the “Annals of Glasgow,” and George Swanson, grocer. In Bath Street, only *three*, viz.:—John Fleming, writer; Mr. Mirrlees, Colin Douglas. In the *Sauchiehall Road*, as it was then called, only *six*, viz.:—William Jack, William Orr, John Paterson, John Scott, Gilbert Wardlaw, and John Sanderson, the writing master. In Miller Street, only *four*, viz.; Dr. Brown, of Langfynie, (brother-in-law of Francis Jeffrey); Robert Aitken (Bank of Scotland); Archibald M'Lellan & Son, coachmaker; Graham & Mitchell, writers. In Queen Street, only *thirteen*, viz.;—James Ewing, Kirkman Finlay, Alexander M'Grigor, William Kidston, James Lumsden, James Pinkerton, Henry Wardrop, Henry Lawson, John Ross, James Turnbull, James White & Son,

cabinet-maker; David Currie, baker. In St. Vincent Street, only *fifteen*, viz.:—Thomas Dunlop Douglas, Theodore Walrond, Mrs. Kippen, William Eccles, James Graham (veracity), Rev. Dr. William Mure, of St. George's (now of Edinburgh), Alexander Garden (Lord Provost), Robert Dalglish (Lord Provost), Alexander Wighton, John Berry, William Muir, James Wingate, William Halbert, John Smith, younger, David Connell.

These may suffice for a few of the dwelling-houses first fitted up with the gas. Let us, from our old memorandum book, glance for a moment or two at some of the old counting-houses and warehouses that ventured to try the experiment in 1818.

But first let us here take a vivid peep at the old magnificent Theatre Royal in Queen Street (afterwards burned to the ground), as we remember it on the first grand and important occasion when it was to be lighted up with gas to the view of the excited citizens. Mr. John Corri, as he was called, had just arrived in the city from London, with his signors and signoras, and had advertised in the newspapers the performance of Mozart's grand operas of Giovanni and Figaro for Friday, the 18th of September, 1818, on which occasion the grand crystal lustre from the roof of the Theatre, the largest of any at that time in Scotland—would, in place of the wicks, and the candles, and the oil lamps, be "*illuminated with sparkling gas.*" Every seat in the boxes, up to the double and the triple tiers, had been anxiously pre-engaged; the spacious pit was crammed almost to suffocation; and the first, second, and third galleries, for there were also *three* of them, had not an inch of standing room to spare, so great was the crowd, and the eager desire to gain admission,—not so much for the *music*, delightful though it was, as to behold

for the first time the wonderful evolutions of the *gas*, never till then seen or heard of in any theatre in this kingdom. Nearly all the rank, wealth, and beauty of the city appeared in full dress, and were seated there. The magnates of the College—including Professors Davidson, Young, and Mylnes, with their smiling wives and beautiful daughters,—the Grahams, the Buchanans, the Maxwells, the Stirlings, the Dennistouns, the Tennents, the Hamiltons, the Monteiths, &c., &c. But, conspicuous amongst them all, were two of the greatest beauties that probably ever shone in Glasgow, acknowledged on all hands to be “the loveliest of the lovely.” The very gods in the galleries started from their seats, and greeted them with hearty cheers and rounds of applause, for which in return they made the most bewitching smiles. Their names were well known and adored by every one then in the city. We allude once more to the lovely Miss M’Lean; and to the equally lovely Miss Logan, who was betrothed, and ought to have been the Duchess of Argyle forty-five years ago, as we stated in one of our previous Reminiscences. We thought she had died in the city of Bath many years ago, after having *married* a distinguished British officer; but in this we were mistaken. It was her compeer in beauty, Miss M’Lean, that did so. The lovely Miss Logan, *jilted* by the Duke of Argyle, died *unmarried* at Hillend, Lanarkshire, so recently as the month of September, 1856; and, in noticing her death, an esteemed friend thus describes her,—“Miss Logan’s beauty was of the purest and most classical description, such as Canova or Chantrey might have been proud to have perpetuated in marble, while adding thereby to her fame.”

Thus assembled in that theatre,—the signal being given, and the green curtain of the stage drawn up to display

the magnificent drop scene of the Clyde from Bowling to Dumbarton Castle, painted on canvas by Sir Henry Raeburn, which those who saw it, and the still few alive who may remember it, can or could only do so with a glow of admiration; but it unfortunately perished in the flames, never to be replaced by the same artist hand again,—the enrapt audience, joining in the chorus to the King's Anthem, and smiling in each other's faces, from the lustre of those lights, broke out again and again into a rapture of applause; whilst the gas, as if by *magic*, made its original evolutions to their perfect astonishment, leaving some of them to fancy that they had been ushered into a new world—a perfect Elysium on earth.

We are not exaggerating this at all; but, as the *darkcr* contrast to it, we may perhaps be excused for telling the story of the excise-officer, who, when in a state of utter intoxication and prostration, was carried down to the bottom of a coal pit, and recovering somewhat of his senses on the following morning, and rubbing his eyes, and seeing the dark-faced colliers, yelping and dancing around him, and questioning, and threatening to eject him to another place “farther ben;” while he, conceiving that he was really in the land of “outer darkness,” implored their mercy, confessing, in answer to one of their special interrogatories, that he was only “a *puir* gauger, when he left the other world.”

But joking apart, sure such a sight was never seen in that magnificent old Theatre Royal, as we have been feebly attempting to describe, on that unprecedented and remarkable occasion:—

Long years have passed—and hope and grief,  
And fear, and doubt, and strife,  
We since have found, make up the brief  
And clouded span of life.

The weeds that rustle o'er the grave  
When evening lowers around,  
Tongues language more persuasive have  
Than any living sound.

And dreams of past existence bright,  
A double charm impart;  
They are like rainbows to the sight,  
And lessons to the heart.

It may seem fabulous to the youths of Glasgow of the present day to be told now, but the fact is undoubted, namely, that the *eastern* districts of the city far eclipsed those of the *western* districts in point of splendour, when the gas came first to be introduced. But the very reverse holds true as regards the present state of circumstances about it. The east no longer eclipses the west, but rather the west is snubbing out the east, and advancing to a degree of prosperity which nobody of the olden times could have imagined. Let us give a few striking facts under this head:—From the original memorandum-book which belonged to Mr. Edward M'Crone, who was the first collector or surveyor of the gas in the year 1818, which book has long been in our possession, we find that the Gallowgate, the Saltmarket, Princes Street, and King Street, especially the last, actually paid more for the gas than all the other streets to the west thereof put together! The “*village of Anderston*,” as it was then called, had only eight houses or shops illuminated with the gas. We give the names of their possessors, as follows, viz.:—Thomas Stevenson, Daniel Craig, John Anderson, John Adams, Mrs. Wother-spoon, Peter Christie, William Wylie, Peter M'Nab—paying gas for the whole to the amount of £12 16s.; whereas for King Street alone, now so demure, the amount paid was not less than £330. Think of such a compari-

son now in those districts! We state this other remarkable fact, namely, that for “*the Finnieston road*” as it was then called, now embracing the great Dumbarton road, and all along to “*the village of Partick*,” there was only one single solitary place lighted with gas, and that was the shop of Mr. Robert Fotheringham, paying for it the small sum of seven shillings and six-pence; whereas, if we retrace our steps for a moment to the east, and glance at Princes Street, adjoining King Street, now also so demure and dejected, we find that Princes Street alone paid for its gas upwards of £150. We really cannot pass from these two ancient and once renowned streets, without observing that they were the greatest for everything of good cheer within the city, and never were they in a more proud and flourishing condition than when they displayed their first “gas jettées” in the memorable gas year of 1818. The prime beef and mutton markets were there. The cheese and butter markets were there. The vegetable markets were there. In short, all the best provision shops of the city were to be found there, and accordingly, all the first families of the city, “gentle or semple,” thronged there “to make their markets,” while in Princes Street, all the best and choicest taverns in the city, including Haggart’s and Mrs. Pollock’s, were situated; and what is remarkable, it was the *only* street in all the city where poultry or game of any description could be procured!

If we return to the west for another moment, and stop at Union Street, we find and state the fact, that, in the year 1818, there were only *two* houses in it lighted with gas—and these were the houses of William Gentles and Andrew Robb. There was not so much as one *jettée* in Blythswood Square, for this very good reason, that there

was scarcely a stone of it then in existence. Carlton Place, on the other side of the river, was then for the first time exhibiting its grandeur ; yet, even in that direction, there were only *five* houses altogether lighted with gas, and these were the houses of Dugald Bannatyne, James Buchanan (Lady Janet), Thomas Lancaster, James Lawrie, and Gabriel Walker. If we take another turn back to the eastern districts of the city, we can call to remembrance some other curiosities about the original *gas* affair, worthy, perhaps, of further notice at this point. Thus, at the head of the Saltmarket, we find the original warehouse of Messrs. J. & W. Campbell, paying for the whole of their gas, in that quarter, the amount of £1 7s. 6d ! We wonder what Sir James Campbell, afterwards Lord Provost of this city, or his esteemed nephew of Tillie-chewan, would say to this in their premises now ? Again, we find, and proceed to observe, that Mr. Robert Napier, near that same locality, in Greyfriars' Wynd, is noted down for his gas in that place to the amount of £1 7s. 3d.—being just *threepence* less than the Campbells. Yet this eminent engineer, from his original den in the Greyfriars' Wynd, has lighted up and armed the British navy, by the means latterly at his command, to the amount of some millions sterling ; in proof of which, we need only refer to the Simoom frigate, to the Black Prince, and others, launched from his stupendous works on the banks of the Clyde. Did the Greyfriars' Wynd, at any time of its history, ever contemplate such mighty movements ? Or, if we step down again to the Stockwell, we behold Messrs. Pollok, Gilmour & Company, in their first office in that street, paying for their gas the amazing sum of *seven shillings and sixpence* ! They have now, perhaps, the greatest maritime establishment in the world !

Or, if we toddle back on our own shanks to Brunswick Street, we there find Mr. Wm. Dunn, late of Duntocher, who had his first puny yarn warehouse in that street, paying exactly for his gas twenty shillings per annum, whereas his heritable estates are at this moment sounding in the Court of Session, and perhaps in the House of Lords, to the tune of at least a quarter of a million sterling.

Let us step on, since we are in this humour, to the old Post-Office, then in Nelson Street, and there we find it rated for its gas to the amount of £4 18s. 10d. per annum!!! What do the postage stamps in Glasgow for one single day say to this now—or who can estimate the millions thereof in one year?

If we descend a little lower, and go on to the office of the old *Glasgow Water Company*, kept by Mr. David Denny, nearly opposite King William, at the Cross, we find him rated for that company exactly to the extent of *thirteen shillings and sixpence* per annum. Hear that, O ye Glasgow Loch Katrine Water Commissioners, and muse well, we pray you, on some of your present important schemes!

Are we fatiguing our readers?—or, if they will bear with us for a few moments longer, while we take a more diversified stroll through the “ancient city” of our habitation, we bring them to the fact, that Mr. Moses Gardner, the most celebrated apothecary then in the city—his blazing shop was then at the east corner of Charlotte Street—paid for his quaffs of gas £2 13s 9d. He was, we may remark, the very first gentleman, at least we think so, who built the first elegant self-contained house for his “saut water accommodation,” as he called it, in the then small “village of Helensburgh.” He afterwards sold that house to Lady Charlotte Campbell, the

sprightly daughter of John, the great Duke of Argyle—he was really regarded as *the* great Duke—and Lady Charlotte, whom we have often seen in Glasgow and Helensburgh, and already noticed in one of these Reminiscences, was in early life accounted one of the greatest beauties at the court of George the Third.

But yet to our task. Messrs. John M'Intyre, who established their first famous carpet warehouse at the Cross of Glasgow, just paid £1 19s. 6d. for their gas. Messrs. Gilmour & Morris the same amount. Messrs. Mitchell & Russell, the eminent watchmakers and jewellers in that neighbourhood, the sum of £1 2s. 10d.; and George Balbirnie, the famous dyer, then in Glasgow, the sum of seven shillings and elevenpence.

If we step down again, “for a wee blinkie,” to the Saltmarket, we find Mr. James Lockhart Spencer, the largest vendor then in the city of hardware nick-nacks, including ladies’ thimbles, and pattens for their high heeled shoes, &c., just paying seventeen shillings and sixpence. He left a considerable fortune, and one of his daughters was courted by, and married to, a professor in the University, who reaped the greatest part of it.

Look into that other corner, and we perceive Messrs. A. & J. Ferguson, the greatest “hand-me-down clothiers” then in the Saltmarket, paying nineteen shillings and threepence. Mr. David Smith, the most extensive boot and shoemaker then in the city (represented now by his son the worthy bailie, in the Trongate), paying £1 6s.; while Johnny Greig, in his “strong beer house” in the neighbourhood, was busily disposing of his flagons of nappy ale, and paid for his gas £3 7s. 3d., being the largest of any in that wonderful street, the Saltmarket of Glasgow, ever renowned for its associations, and then

mostly consisting of *wooden* tenements in the Dutch style!

If, again, in this rigmarole but truthful way, we turn once more into the Trongate to salute the statue of King William at the Cross, we perceive that Mr. John Milne, who kept the large establishment of the Tontine Hotel, just paid £6 7s. 6d. per annum for his most extensive range of gas burners; while, walking on a little further to the west, we come to the shops of Messrs. Brash and Reid, the famous booksellers, renowned throughout Scotland, but now no more, paying £1 17s. 6d.; and their next-door neighbours, James Harris and Archibald Hunter, hatters and clothiers, exactly paying £1 7s. 6d.; David Prentice, up the close and in his tenement behind, paying for his *Chronicle* newspaper, then in great *eclat*, the sum of £2 8s. Step over to the Tron Steeple, and you may espy Mr. Johnny Inglis in his powdered hair, blue coat, knee breeches, silken stockings, polished shoes, and glittering buckles, displaying, in the blandest manner, to his admiring lady customers, his rolls of silks, ribbons, and velveteens, just arrived with his smart son Peter from Lunnon—now the great landowner in Australia—paying then for his gas in Glasgow £1 17s. 6d.; and what is that compared now with his 100,000 sheep in those plains? In truth, *Australia* was little thought of at that time in Glasgow. Above Mr. Inglis's shop was the apothecary establishment of the celebrated tall and stately Dr. John Balmanno, set down for £3 4s. 2d. per annum.

Run across to the other side of the same street, and you peep into the old Royal Mail Coach Office of Mr. Joseph Bain, paying its ten shillings and sixpence! Dougal and Robertson, the silk mercers, paying £3 8s.; Robert Galbraith and Co., and Davie and Norwal, in the same

line, paying £1 7s. 6d. each; Brown and Lilburn, the upholsterers, seventeen shillings and sixpence; Donald M'Callum, the jeweller, eleven shillings; Miss Chisholm (the first straw bonnet warehouse in Glasgow), £1 6s.; Alexander Finlay, his Majesty's carver and gilder, £1 15s.; Hew Proudfoot, the chief Glasgow glover, eighteen shillings; Miller and Ewing, the famous clothiers, £1 3s.; Jack, Paterson, & Co., the eminent cabinet makers and upholsterers, £2 3s. 6d. Nor must we forget the best and greatest *purveyor* then in Glasgow, Mr. Isaac Baxter, paying for his attractive and luxurious establishment at the corner of the Candleriggs, from which he supplied the Dukes of Hamilton and Montrose, and all the great families in and around Glasgow, with the best creature comforts, and never grudging to pay for his gas the sum of £3 3s. per annum.

We might go on and multiply this list to a great extent with other equally respectable and honourable names well worthy of being remembered; but we fear some of our readers are getting tired of it. We, therefore, conclude this chapter, by remarking, that the original Act of Parliament for establishing this *first* Gas Company in Glasgow was passed in the month of June, 1817, with an authorised capital of £40,000. In June, 1822, so rapidly did the applications for gas increase—for people were throwing aside their oil lamps and “*candle doups*,” as they were called, in perfect disdain—that the then directors of the Gas Company applied for a new Act of Parliament to *double* their original capital, and they soon found it. Within three years afterwards, in May 1825, they got a *third* Act of Parliament increasing their stock; and, in April 1826, they got a *fourth* one—so rapidly did they advance in public estimation. And

now, at the period we write, the capital of this, the first old company, stands at the figure of £190,000. More wonderful still—we state the fact, that the whole of the first year's *revenue* from the gas in Glasgow just amounted to £4052 5s., whereas, for the year we now write (1866)—independently, be it observed, of another gas company, which we shall notice presently—it amounts to the sum of £100,415. Well might Dominie Sampson himself, under this head, again exclaim—*Prodigious!*

It is amusing, but gratifying to us, to state the fact, that old Mr. James Dennistoun, who founded the Glasgow Bank, and did more in his day for the prosperity of the city of Glasgow than any man that ever lived in it, put down his name to *risk* or venture the first £500 for the experiment of the gas. Many of his friends chided him that it would be a dead loss to him, but the worthy man paid down his money without a murmur, and it gladdened his heart when he beheld the first effects of it. He received this card from Mr. William Kay, the first old clerk or secretary, who died only the other day—since we began this Reminiscence,—but Mr. M'Crone is still to the fore, in sound health and vigour of mind: “Mr. Dennistoun—please to call or send to this office for your dividend of *ten per cent.*”

Worthy old gentleman; we can never think of him without affection and profound respect; he was so kind and unaffected in his manner, and so liberal withal, leaving a fortune of £300,000 to his family, who have hearts worthy of their sire in the use and disposal of it; and it tells to the honour of that family in a way which no other in Glasgow, and few in this kingdom can do, namely, that Mr. Dennistoun's two sons, viz., Alexander and John, sat at the same time together as members of

the House of Commons, the first for the County of Dumbarton and the second for the City of Glasgow, alongst with Lord Wm. Bentinck, Governor-General of India, greatly to the delight of their patriotic father, who was, we may further observe, one of the few in his station of life, who stood manfully in the gap in the most perilous of times, and after the triumph of liberal principles was accomplished in this city, some thirty years ago, old Mr. James Dennistoun had the felicity to receive a public banquet in the Royal Exchange, the only one ever given in that place, which circumstance would of itself show in what estimation he was truly held.

His *first* munificent patronage of this Gas Company, of which we have already spoken, and his patronage of other most laudable enterprises and institutions, may be left by us reverentially to speak for themselves; yet it is no exaggeration to state that, beyond all question, old Mr. James Dennistoun of Golffhill, more than any other man, prepared the way for founding the present great flourishing “Union Bank of Scotland.” But we attach his name now to this gas chapter in particular, because the munificence of his subscription and the worth of his name and known sagacity, stamped it originally with confidence, and led others, following on a smaller scale his great example, to participate in its triumphs and beneficial results. Many parties now alive in Glasgow, many widows and families, many annuitants, both young and old, have been helped with the benefits of this original gas stock. There have been three *managers* of it since its commencement, viz., Mr. John Thomson, once an old banker in the city; Mr. Walter Ferguson, formerly one of the magistrates; and now Mr. James Ritchie, who has held his appointment, we think, for a period of nearly twenty years.

## POSTSCRIPT—THE NEW GAS COMPANY.

In the year 1843, a new Gas Company was started in Glasgow under the title of “The Glasgow City and Suburban Gas Company,” with a capital of £150,000. They got an Act of Parliament which recites truly enough,—“Whereas the City of Glasgow and Suburbs thereof, including Gorbals, Anderston, and Calton, and the Burgh of Rutherglen, and other places adjacent thereto, and the population, trade, and commerce thereof *have of late years greatly increased, and are increasing,* and it is expedient that a further supply of gas should be provided,” &c. In that Act the names of the following directors amongst others are recited, viz., Wm. Balfour, Alexander Baird, James Dunlop, George Douglas, James Lumsden, Alexander Hastie, Jas. Merry, John Mitchell, Mark Sprott, Henry Brock, Archd. M’Lellan, Alexander Donaldson, John MacGeorge, John Fyfe, James Dale, Neil Robson, Peter Aitken, James Watson, David Laird, John Graham, Andrew Smith, Oliver Wingate, &c.

It is almost like *fiction*, and most marvellous truly to relate, that in the very first year of the existence of this *new* company, its affairs were scrutinized by two distinguished men of the city, viz., the late Henry Brock, Esq., first manager of the Clydesdale Bank, and Robert Salmond, Esq., manager of the City Bank, who certified that its receipts for that *first* year amounted to the sum of £10,537 16s. 8d. So great also has been its continued success, that in the year 1857 they got a new Act of Parliament, augmenting their capital to £50,000; so that it stands now, year 1866, at £200,000; whilst its receipts for last year, we understand, amounted to upwards of £65,000 sterling. Can anything more strikingly show the most brilliant achievements of Glasgow within these last

fifty years? Upwards of £160,000 per annum drawn by those two companies for gas! Why, it would have purchased all the oil and tallow in Scotland at the period when the gas itself was first introduced. We hope none of our readers will be offended at us for putting these few facts upon record in this place, connected with this queer old minute of the old original Gas Directors under date the 29th of October, 1819, with Mr. Dugald Bannatyne, the old esteemed and worthy postmaster of Glasgow, in the chair. It is a most amusing minute certainly, as contrasted with the present state of matters in the city.

The Directors hereby enjoin, that on the future collections of gas two calls shall be made by the sub-collector; the second call shall be made eight days subsequent to the first, after which the clerk to send a circular to defaulters, that if payment is not made within eight days *the clerk will then call himself.*

(Signed)      DUGALD BANNATYNE.

How curious, civil, and ominous it was for the old worthy directors to inform the defaulting rate-payers that if they did not cash up, "*the clerk*" would pay his respects to them *in propria persona*. Fine work that would be now-a-days with "*the clerk*" going out amongst a population of nearly 500,000 souls! We trow much sharper work is made of it now.

The first manager of this new Company was the late philanthropic Mr. Wm. Fleming, succeeded by Mr. John Thomson, from the Chamberlain's office.

We therefore bring this desultory chapter about the *gas* to a close, not without expressing our unabated conviction that the city and all connected with it, will continue to be blessed and benefitted by the lustre of its gas, so long as the sun and the moon themselves shall exist in the firmament of Heaven!

## CHAPTER XVII.

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**THE STOCKING AND GLOVE CASE—AND THE FUNNY  
GLASGOW GLUTTONOUS AGENT, &c.**

A TALL, jolly, robust, good-looking man, of the name of Robert Fleming, was located in the Gallowgate of Glasgow, some 45 years ago; and in that street he kept a *hosiers* shop—that is, a shop for selling stockings and gloves for ladies and gentlemen, boys and girls, &c., &c., He was rather a troublesome customer to some of his neighbours, and they had quarrels and brawls occasionally which led to the interference of Captain James Mitchell of the Police, whose lodgings were then at the corner of Great Hamilton Street, and he had therefore frequent occasion to pass and repass Mr. Fleming's shop, and to admonish him to be a little more circumspect in his conduct; and an admonition from the old Police Captain, who had been a military man in early life, had the most wonderful effect in many cases. However, one of these neighbours of the name of Auchie, who was possessed of good estate, or of considerable “means and substance,” propagated a story that Mr. Fleming's shop was not exactly the thing it was by him represented to be—that the *shelves* of the said shop, instead of being filled with

lambs'-wool stockings and shirts, were filled with nothing but *peats* covered over cunningly with paper ; that a whole cart load of peats, either from the moss of Calder or the moss of Balloch, at a greater distance, came into Glasgow, and was surreptitiously obtained by Mr. Fleming, and ticketed by him in that way : that he was thereby deceiving the public in his outward pomp, and imposing on the credulity of his customers, as has too frequently been done in more flagrant instances in modern times : that he (Fleming) was thus holding himself out to all and sundry within the view of the Gallowgate, as having a well-plenished stock of hosiery and other things in his shop, while in reality he had only a very few dozens of stockings in it altogether : and that in this way he was nothing but an “ arrant impostor,” and did not deserve the name of a *bona fide* stocking merchant. And Mr. Auchie stated that when he entered the shop one morning he saw and felt the *peats* himself finely labelled, as some of them were, at eighteenpence per pair, while in truth, one pair of the *peats* themselves in *nudibus*, could be had for less than a penny, with 20 per cent. of profit to the bargain !

In consequence of these accusations of Auchie against Fleming, a thumping action of damages was raised by the latter against the former, before the Magistrates of Glasgow, seeking for £500 damages, besides expenses.

The agent of Mr. Fleming in that action, which agent is to be the chief *dramatis persona* in this chapter, was a well-known scribe in Glasgow, viz., Mr. Archibald Bayne, whose office was in Nelson Street, up three pair of stairs. He was only a sort of half-educated scribe, and he had just a smattering of a few Latin words or conventional phrases of the profession ; but he had a tolerable quantity of the *gab* or gift of speech at his com-

mand, and his temper, until aroused, was rather sweet. He was a very little built man, almost as broad as he was long, with a jolly round face and tremendous paunch, which last commodity prevented him from walking more than at the rate of some one mile and a half per hour. In a warm day it was rather distressing to see him ; but in a wintry night he was a most agreeable and jolly companion. He could tell a story or sing a song superior almost to any member of the legal profession ; and he was "a free and most accepted mason," none more welcome to masonic halls than Brother Bayne—better known out of doors as *Bauldy Bayne*. Hey ho! Jorum! there goes Bauldy!

He had a good deal of self-conceit about him, and notwithstanding of his appearance, as thus described, the jolly little creature sincerely believed that almost every lady in the city was desperately in love with him. He was polite in the extreme to everybody, but he was rude and rough towards any supposed rival in his way. He was altogether rather a queerish character ; but on the whole, he was a great favourite with the groups of young gentlemen that then attended the Town Courts, presided over in its glorious old days of bustle and activity by Mr. Reddie, one of the most accomplished of lawyers, and sweetest of men that ever acted as Assessor to the Magistrates of Glasgow.

Our friend, Mr. Bayne, was, of course, on the very best of terms with his client, Mr. Fleming, the hosier in the Gallowgate, already introduced to our readers. They drank together, and they fuddled together, on the head of the plea. The agent on the opposite side for the defence was Mr. James Wilson, jun., a lean, lank, tall young gentleman—the very converse of Bauldy—yet they were

till this plea commenced on the very best of terms with each other.

Of that plea we shall say little except this, that it gave rise to the most learned but ludicrous dissertations in the shape of defences, replies, duplies, quadruples, memorials, and re-memorials on the relevancy of the libel, reclaiming petitions, answers, &c., &c. On the one hand it was stoutly contended for the pursuer that even although he had put *peats* from Cadder moss into his shelves in the Gallowgate, there was no *dole* or *fraudum* in doing so; and in one of those eloquent flights Mr. Bayne contended that peats, in one sense, were a more valuable commodity than worsted stockings, because they warmed the fire and cooked the provisions for both man and beast in the Highlands and Lowlands of Scotland; and it was remarked, as "most important to the cause," that the great Lord Kames delighted himself either in the digging or cultivation of peats at Blair-Drummond moss; that his client, at least, had the peats in question *lawfully* in his possession: that he was entitled to use them to adorn his shop, and to give him facilities for carrying on his most respectable "wholesale and retail trade," and that therefore it was clear "*Defamation*" to call him "*an impostor*" in the way and manner set forth in the libel.

On the other hand, the defender pled that *peats*, in the creation of things, could never be called *stockings*: that the elements of the one were totally different from the elements of the other: that the pursuer might as well have called himself a coal heaver as a stocking manufacturer: that he had no right or title in law or equity to wrap or conceal the aforesaid peats in clean writing paper, with markings upon them importing to be genuine stockings, at so much per pair: that this was clearly fraud,

falsehood, and deception, calculated to deceive the Hawick hosiers and the English travellers coming to Glasgow and waiting on him for orders in his shop, so decorated : that, therefore, the pursuer did not come into Court with clean hands: that they were smelling all over with peat reek, as could be easily proven in the Gallowgate ; wherefore decree of absolvitor was confidently craved from their honours, the Magistrates.

At one of the stages of this interesting, or as some may think, very uninteresting or ludicrous of processes, a scene occurred which affords the gist of our present story. This case—*Fleming versus Auchie*—whenever it was called in any of its numerous stages, by Alexander Taylor, the renowned bar officer of the old Burgh Court, always afforded some merriment to the whole legal fraternity present, whether old or young. It now took a turn which landed the two notable agents themselves into one of the most amusing actions of damages ever raised in the city of Glasgow. Some motion or other in the cause aforesaid fell to be discussed before the learned assessor, Mr. Reddie. The respective agents, viz., Messrs. Bayne and Wilson, arose from their seats, adjusted their cravats, and approached the bench; the Magistrate, viz., Bailie John Machen, being duly seated thereon, with Mr. Reddie at his right hand, and old Cocky Hamilton, the collector of fees, at his left, with his powdered hair and fine glancing eyes, the very picture, it was said, of the elder Chatham. The combat about the motion commenced now between the two agents. Bauldy had been rather sharply contradicted once or twice by young Wilson. He could stand this no longer. His whole body became convulsed with rage. He was literally foaming at the mouth after the explosion of one of his unadorned bursts of eloquence. His

roar was as loud, and not so sonorous sometimes, as was the roar of the horned bulls then browsing on the green of Glasgow, with the ring in their snouts and the rope tied to their forelegs. He at last squatted down, wiping the perspiration from his brow, beside the seat of old Mr. John Fisher, the celebrated extractor of the Burgh Court, and Bauldy muttered something not very pleasant to Bailie Machen. "Never mind him, your honour," said Mr. Procurator Wilson, "*He's a glutton.*" "A what?" said Mr. Reddie. "A glutton—a perfect glutton," rejoined Mr. Wilson, junr. Up started Mr. Bayne from his seat, his eyes wildly rolling. "Dare you call me a glutton, sir?" "Yes," says Wilson, "I do." "You are as bad, sir, in that respect as *Rab*, the notorious Renfrewshire glutton, and you need not deny it, Mr. Bayne. No, indeed, you have a capacity like your client for something better, or it may be something worse, than a whole cart load of peats!" He was going on in this style when Mr. Reddie started from his seat, as did the Magistrate, both looking over the bench in perfect amazement at the gladiators beneath. Every one in that crowded Court became thunderstruck at this unprecedented violent occurrence. "I take you all as witness," said Mr. Bayne, recovering somewhat his composure. "I take you all as witnesses that James Wilson, junr., here standing, has insulted and defamed me, and I'll make him prove it *scripto vel juramento*. (Roars of laughter.) You may laugh, gentlemen; but as his Royal Highness the Duke of York said in the House of Lords the other day, on the Catholic Emancipation Bill, I'll bring an action, *so help me God*. I'll bring it *hoc statu*—(great roars of laughter)—no, *quam primum* I mean; and the youngest scribe amongst you need not be told that that means—with the least possible

delay," and with this correction of his Latin powers, he brought down his thick uplifted right arm with vengeance on his own large peat process, then lying with many others on the table of the Court.

It was a rich scene, but the best of it is to come. True to his asseveration, Mr. Bayne brought an action of damages before the Magistrates against Mr. James Wilson, junr., for £1000, besides expenses. He libelled on the facts we have here stated, and insisted that in addition to the abominable and defamatory word, "glutton," it was a great aggravation that he, a respectable practitioner of the law in Glasgow, was likened to a Renfrewshire beggar, commonly called Rab the glutton. The libelled summons itself prepared by Mr. Bayne's own hands was a curiosity. He was thus his own agent, and no case in the whole records of jurisprudence could better illustrate the truth of the adage as this one afterwards did, namely, that when one becomes his own agent he has but a *fool* for his client. When the summons was duly called in the Town Court before the Magistrates, and when Mr. Reddie, the Assessor, became apprised of the nature of it, his grave and sedate face suddenly changed its wonted aspect. He hitched, and held his sides in his judicial chair for very laughter; and the bar officers, and all connected with the Court, were for a time perfectly unable to discharge their duty without loud fits of cachinnation. When it was explained on black and white about the Renfrewshire case, as the Laird of Logan, we think, has already somewhere else explained it, old Mr. John Fisher, the extractor, rarely seen in any merry mood, was like to tumble off his three-legged stool, while Bauldy, the pursuer, himself looked daggers at the whole fraternity. We may as well be excused for giving our version

of the story of *Rab*, the Renfrewshire glutton, now brought upon the tapis somewhat as follows. Many years ago a popular Renfrewshire nobleman laid a wager for a large sum of money that he would find a man in that county who would eat an entire *calf*, of three months old, duly killed, and without the skin, but to be cooked up in sundry dishes in the manner agreed on. He had his eye on *Rab*, aforesaid, whose capabilities he well knew. The calf being selected, and then slain, it was cut up, and portions of it placed in so many dishes, resembling the finest veal pies, garnished with nice pastrys, &c. *Rab* was put into good trim for his feat ; but he did not know that there was any bet depending on his head about it. He was told that if he would just gobble up a whole calf he would get so many pounds or shillings to himself. He jumped with gladness at the proposal and the prospect. The appointed day and hour came when these dishes were set before *Rab*, just to whet his appetite or make a beginning, as some said. He commenced in right earnest to devour the pies—and he did devour every one of them with great relish. When he was nearly done with the last one, and smacking his lips and swigging off a bottle of porter to the bargain, the noblemen and gentlemen connected with the wager entered the room where *Rab* was thus engaged. “ Well, *Rab*, how are you getting on,” said his lordship, who had made the bet on *Rab*’s head. “ Ou, gay an’ weel, my lord ; but where’s the *calf*? I’m ready for the *calf* noo.” This, of course, decided the bet, and showed the capabilities of *Rab*, who unawares to himself, had already devoured the whole calf, and therefore our lovite, Mr. Bayne, in his libelled summons against Mr. Wilson, had good grounds for alleging that it was “ an aggravating circumstance,” and showed

the *malice prepense* of the said James Wilson, defendant, towards him the plaintiff, by placing him in the same category with the said Rab, who was utterly unknown to him, and could claim no kindred or affinity with him in any way. So the summons stated.

Whether Mr. Reddie, the learned Assessor of the Magistrates, viewed the case seriously or comically, he sometime after the case was called before him, earnestly advised the parties to get it taken out of Court,—to refer it to some discreet mutual friend, and thereby “save the Court from an unpleasant and distracting duty.” This was the very thing which Mr. Wilson, jun., the defendant, wanted. He was open to a mutual reference at any time. But Mr. Bayne, the plaintiff, was growling yet like a lion in his den, over his action and his opponent; but his eating and his drinking qualities were no ways disturbed thereby. He was invited out purposely to a supper party one night, and being plied with liquor strong, his bowels relented in favour of the proposed “amicable reference;” and next Court day Mr. Reddie and the Magistrates were apprised, under a regular motion entered for the purpose, that the parties had now “mutually agreed to refer the said summons and defences and whole cause to the amicable decision and final decree or award of Mr. Alexander Malcolm, writer in Glasgow: and craved the Court to interpose its authority to the said reference,” which the Court, as a matter of course, did, greatly to the joy of Mr. Reddie, who congratulated the parties on their returning good sense and wonted civility.

Now, Mr. Malcolm, the appointed *referee*, was a great wag. He enjoyed the case of Fleming against Auchie amazingly, about the peats and stockings. But this one between these two agents—his most particular friends—

*Bayne versus Watson, junr.*, soared above it and all other cases then on hand. The defence of Wilson, we should observe, was the *veritas*—“that he had been provoked by the plaintiff, who was *de jure* and *de facto* ‘a glutton;’ inasmuch as on one occasion, in the defender’s own presence, in the Boot Tavern of Mr. John Nelson in Saltmarket Street, he then and there devoured two pounds of beef steaks, and nearly as many mutton chops, with nearly the whole contents of a pigeon pie, containing twelve birds sent from Strathaven: that he participated in the after rounds of the table (sic orig.) by eating up for himself nearly one pheasant, shot in the woods of Drumpellier, with the whole oyster and lobster sauce then on the table, not speaking of the pickled salmon, fried potatoes, and toasted cheese: that he drank nearly four bottles of London stout, and two at least, of Edinburgh ale, besides several naggins of old Jamaica rum: that Mr. Nelson and his waiters were perfectly astonished at the said pursuer’s performances with his knife and fork, fingers and thumbs, exceeding, by far, anything which the innocent, half-doited Rab ever did in Renfrewshire. And the defender also undertakes to prove *other* instances of the pursuer’s capacity in these respects, if he shall be so ill-advised as to persist in his present most mendacious action of damages, which neither redounds to his own credit nor to the dignity of this Court, where he presumes to practise his legal vocation,—Under protestation and add and eik.”

(Signed) JAMES WILSON, JUNR.

Whether the allegations were true or false, our lovite, *Bauldy*, the plaintiff or pursuer, was now in the hands of the Philistines. The *referee* had him completely in his grip. He was tied down, neck and heel, stomach and

all, to the judicial reference, from which he could not escape—nor did he attempt to do so. Yet he had no conception that “his learned and honourable friend, the arbiter,” as he called him, was really going to make mince-meat of him in his own process, and that, too, in the most extraordinary and decisive way, as we shall presently show. Mr. Malcolm knew the latitude and the longitude of Mr. Bayne perfectly. He turned the case into absolute ridicule. He found, and he decided “that in place of eating two pounds of beef steaks, the quantity might have been safely stated by Mr. Wilson, the defender, at three pounds and a half! That in addition to the pigeon pie, he said Mr. Bayne, pursuer, had actually intromitted with the corned beef and devilled fowls; and worse than all, that he afterwards refused to pay his due share of the lawful reckoning, wherefore he had no *persona standi in judicio*. The referee, therefore, assailed the defender, found the pursuer liable to him in expenses, and admonished the pursuer to be more circumspect in his behaviour for the future!”

When Mr. Reddie heard the award read, and was required to interpose the authority of the Court thereunto, and to “decern accordingly,” the whole Court were again convulsed. You could have tied them all together with a bit of string, except Bauldy himself. He challenged the referee and others to fight him in a duel, near Rosehaugh Gardens, in the Cowcaddens; and we could tell an amusing story about that *duel*, which actually came off in that place,—but we have said enough on this affair for the present.

The award, however ludicrous as it may appear, soon settled the *Fleming and Auchie* case about the peats, which Bauldy had conducted for the pursuer thereof; and

it soon finished his own "*Hashy Bonorum*," as he called it, in the Burgh Court.

The last time we saw our hero was on the occasion of the inauguration of the statue of the Duke of Wellington, opposite the Royal Exchange, Glasgow, on the 8th October, 1844, when the mob, it may be remembered, broke through the line, and ran away with the ropes and tarpauling, and created no small terror in some of our streets. Bauldy addressed them in tones of indignant vituperation. He was most enthusiastically devoted to the Duke, and he marched at the head of the police, flourishing his stick, and throwing out his arms, as if he had been the drum-major of the Fencibles, or the major-domo of the North British Fusiliers. He soon afterwards gave up the ghost, and died, we believe, without an enemy.

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## CHAPTER XVIII.

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### THE LAUGHABLE HORSE CASE.

In consequence of the interminable, long-winded rigmarole written pleadings in former times in the inferior Courts of Scotland, and especially in Glasgow, some specimens of which we have already given in these Reminiscences, an Act of sederunt was very properly passed by the Supreme Court, enjoining lawyers to confine themselves to a short statement of facts without argument, under certification, &c.

Two parties in Glasgow had quarrelled about the sale, or price, or merits of a *horse*, and an action was raised respecting the same. We give the following as a unique specimen of the improved condescendence and answers:—

CONDESCENDENCE of John Dawson, the pursuer.

1st. The pursuer condescends, avers, and offers to prove that the defender came up to him in the public market, and, before a number of people, insultingly offered him a shilling as the price of his horse, thereby decrying the value of the animal, insinuating that it had some latent defect, to the loss of the pursuer, and inciting to a breach of the peace.

## ANSWERS FOR HUMPHREY COLQUHOUN, THE DEFENDER.

Answer 1st. Admitted the defender offered the pursuer a shilling as the value of his horse, and averred it was worth no more. The skin was all rubbed off its back, it was a perfect skeleton, indeed the mere framework of a horse.

Condescendence 2d. The pursuer distinctly informed the defender it was a race horse.

Answer 2d. Admitted the pursuer said it was a race horse; and the defender averred then, and now avers that the race it was running was to its grave!

Condescendence 3d. The pursuer also informed the defender that the said horse had run at the *Shaws*, viz., Pollokshaws.

Answer 3d. Admitted that the horse had run at the Shaws; and the defender avers and believes that it ran oftener at the shaws than the potatoes, from its then and present appearance.

Mr. Rose Robinson, the Sheriff-Depute, was perfectly convulsed with this terse and lucid style of pleading. Meanwhile the animal died, and its skin brought 8s. 6d., and its body 10s. (for the hounds), which sums were consigned in Court. In respect whereof dismisses the process; and finds neither party entitled to expenses.

## THE GREENOCK SUGAR CASE.

THE parties in this case were intently at war in the Court of Session about the quality and value of some three hogsheads of sugar. It was an old process of the olden time, and had exhausted many quires of paper.

John Clerk was the counsel for the pursuers. The case was set down for debate before the Lord Ordinary. Mr.

Clerk, from his multifarious engagements, had not been able to read the papers. The pursuer's agent comes running up to him in the Parliament House—"Mr. Clerk—Mr. Clerk! the case is called by the Macer. The Lord Ordinary is waiting for you."

Mr. Clerk—What case?

Agent—The sugar case.

The learned counsel limps to the bar, adjusts his spectacles, and fumbles amongst the papers. He whispers to the agent whom he had just seen—"Am I for the pursuer or for the defenders?"

Astonished Agent—For the pursuer, certainly.

In a great rage, apparently, Mr. Clerk starts from his seat and shakes his fist at the opposite counsel, and thus addresses the judge:—

My lord, they've got our sugars, and I should like to know why they don't pay for them?

This threw the *onus* at once on the opposite party, and gave John an opportunity to comprehend the case without reading a word of the papers. He mastered the opposite party's tactics so well in his reply, that the Lord Ordinary decided in his favour with expenses.

## CHAPTER XIX.

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### THE LAST OF THE OLD BOROUGH-MONGERING ELECTIONS IN GLASGOW.

KING GEORGE the Fourth, after a dissolute life, was seized with his last illness at Windsor Castle, early in the month of April, 1830. On the 15th of that month the King's physicians issued the following bulletin.

Windsor Castle, April 30, 1830

We regret to state that the King has had a bilious attack, accompanied by an embarrassment in breathing. His Majesty, although free from fever, is languid and weak.

(Signed) HENRY HALFORD.

MATTHEW JOHN TIERNEY.

Towards the end of the following month of May it was understood that his Majesty's case was hopeless. It was believed that he then lay on his death-bed ; and in the event of his Majesty's demise, a dissolution of the then existing Parliament became necessary by the law of the constitution. In that view very deep interest was felt in Glasgow for the next Parliamentary Election, because Glasgow would then become "*the returning Burgh*,"—the meaning of which we have explained at some length in the

first number of these Reminiscences—and for the sake of connection we may condense it here in a single paragraph or two.

The three Royal Burghs of Rutherglen, Renfrew, and Dumbarton, were joined with Glasgow in the olden time, for the important purpose of returning *one* member amongst them to Parliament. In other words, the members of the close incorporation of these Burghs, consisting of the Magistrates and Councillors—and none but them—had a right to appoint a *delegate*—some favourite or other of their own body he generally was—and he it was that could alone vote for *the* member to Parliament. Thus, these *four* delegates for the Burghs of Glasgow, Rutherglen, Renfrew, and Dumbarton, were called into existence by the votes of some 120 individuals altogether, composing the Magistrates and Town Council, while the inhabitants themselves had no more to say in the matter than the man in the moon. In that way *four* simple solitary individuals, yclept *delegates*, made the member of Parliament, whoever he might be, whether Tom, Dick, or Harry. They sent him to the British House of Commons, as it was constituted in those days, by the mere puffs of their own *four* mouths; and sometimes not by so many puffs either, because pretty frequently the four delegates could not agree amongst themselves in the choice of their member—two of them have been known to go the one way and two the other; thus, for example, *two* would have Mr. Campbell of Blythswood, while the other two would have Mr. Kirkman Finlay, whereby the one just neutralized the other. But in order to solve this difficulty, it was decreed that the delegate of the Burgh in which the election took place should have the *double* or casting, or domineering, or decisive vote, which would settle the

knotty point. There was a sort of *rotatory* motion in this, sometimes extremely amusing, and no less important. Thus the election, say for the *first* Parliament, was to take place in the Burgh of Dumbarton; for the second or succeeding Parliament, in the Burgh of Renfrew; the third, in the Burgh of Rutherglen; and the fourth, in the Burgh of Glasgow. The *casting* vote resting then, for example, with the Burgh of Dumbarton; and if the delegate from Renfrew went along with him, they could easily snuff out the delegate from Rutherglen, and throw overboard the delegate from Glasgow without the least trouble. Is not that on the face of it a rich farce, viz., that in those olden times the great city of Glasgow could be kicked and cuffed by the Dumbarton delegate and the Renfrew delegate, with perfect impunity, they dwelling in burghs, with not more than a population of some 5000 souls, whereas Glasgow, independent of Rutherglen, could swallow them all up in other respects fifty times over. We have no hesitation whatever in saying—and we could prove it if necessary—that the grossest bribery and corruption took place to secure the all-important *casting vote* of that one delegate. Fortunes were won and lost by it. Drinking and carousing went on to an extent hardly credible. The author of *Anster Fair*, faintly describes it when he says,

“Forth from their little gurgling bung-holes spout  
Their genial streams in tankards, pots, and pails—  
O, 'twas a wild notorious guzzling bout.  
Even ancient men, whose hair was thin and hoar,  
Then staid not from the fuddle's fun aloof,  
But drank till every head was giddy turning,  
And to their reeling eyes each fire in sky seem'd burning.”

But the great Reform Bill of 1832 annihilated so far the above anomalies and flagrant and almost incredible

state of matters, by giving to Glasgow *two* independent members for herself, and we think an addition to them will now very soon be made. For why should Glasgow, with a population of 500,000 souls, not have such an addition? or why should the great county of Lanark have only *one* member, which is all she had 40 years ago, seeing there are counties in England not half so numerous and valuable, who have four, six, and ten? But this is a dissertation we are not to enter upon in this place. Yet that Reform Bill of 1832, by its sweeping comprehensive terms, was scarcely dreamt of by any of the most eminent statesmen in the reign of George the Fourth. His Majesty departed this life on the 26th of June, 1830, *vide* the following bulletin:—

Windsor Castle, 26th June.

It has pleased Almighty God to take from this world the King's most Excellent Majesty. His Majesty expired at a quarter past three o'clock this morning, without pain.

(Signed)      HENRY HALFORD.

MATTHEW J. TIERNEY.

On the King's demise, and in the view, as we have already observed, of a speedy dissolution of the then Parliament, which had been elected about three years preceding, and had assembled as the *eighth* Imperial Parliament, 14th November, 1826, this great city in particular, and the three other dearly beloved burghs in general, became greatly excited. Renfrew and Dumbarton often voted in fraternity. They preferred Mr. Archibald Campbell of Blythswood; whilst Glasgow and Rutherglen as often went cordially together, and preferred Mr. Kirkman Finlay. All depended now on the solitary *casting vote* belonging at this time to Glasgow. Mr. Campbell had secured the seat in Parliament in 1806 and 1807. Mr.

Finlay secured it in 1812 and 1819. Mr. Campbell recovered it in 1826. He held it at the King's death—at the period we are now endeavouring to describe.

He was perfectly sure at all times of the Burgh of Renfrew, for it was said to be his own "*pocket burgh*," and so it was, for it never went against him. But he had a quarrel with the Messrs. Dixon of Dumbarton, who completely ruled that Burgh, about some Government debentures for their glass bottleworks—the greatest of the kind then in Scotland—yielding them *profits* in some years alone of £30,000 and £50,000 per annum; but by quarrels amongst themselves these great bottle works were suspended and finally rased to the ground, which was thought to extinguish the burgh itself and bring its inhabitants to the point of starvation; yet by engineering and shipbuilding and other modern things it is as prosperous now as any burgh of its dimensions in this kingdom. Mr. Campbell therefore was elbowed out by the Messrs. Dixon of Dumbarton. They rather turned tail upon him, and stretched forth their hands to Mr. Finlay. He being formerly Lord Provost of Glasgow, confidently relied on securing the Glasgow delegate with that delegate's casting vote; and he had become tolerably sure of the delegate from Rutherglen, so that in this way he calculated on gaining the election by the distinct and legal majority. But the race is not always to the swift nor the battle to the strong.

Of the ancient burgh of Rutherglen we must here put in a few words. It was *Whiggish* to the back-bone; and Blythswood being a decided and well-known *Tory*, he had not so much as the ghost of a chance with any delegate in that burgh. For many years, and nowhere in Scotland, was the birth-day of the Right Honourable

Charles James Fox celebrated with so much hilarity, when that great Whig statesman was alive, or with so much animation after he was dead, as in the ancient Town Hall of the Burgh of Rutherglen. It even *infected* Glasgow to some degree with its Whiggish politics, cherished as these were through a long life by old Mr. George Crawfurd, the Town-Clerk—succeeded by his excellent son, the present Town-Clerk, of the same name. The old gentleman, we may here remark in passing, was the personal friend of the Hon. Henry Erskine—Lord Dair—(the early patron of Robert Burns); Colonel Dalrymple of Fordel, the ancestor of the present Earl of Stair; Lord Archibald Hamilton; the Earl of Moira, afterwards Marquis of Hastings, all genuine Whigs of the olden time. We may be permitted to give rather an amusing scene at one of these *Foxy* Banquets in Rutherglen, many long years ago, which may be regarded as a specimen of the jolly ancient craft which then ruled the Burgh. Mr. John M'Dougall's famous band of music from Glasgow was specially engaged to attend it. We described Mr. M'Dougall himself as one of the famous fuddled Glasgow precentors, in a chapter some few weeks ago. His band on this occasion consisted of three violin players, one bass ditto, one clarionet, a tambourine, and a triangle, duly seated in the ancient “fiddlers’ byke” of the Town Hall, and enlivening the company at the beginning and the ending of every toast. No music was so much relished on these occasions as the fine old Jacobite tunes of by-gone days, and they had of course a *political* signification or stamina about them, such as “The Mucking o’ Geordie’s Byre,” “O’er the Water to Charlie,” “Hey, Johnny Cope, are ye waukin’ yet, or are your drums a-beating yet,” “O for the Scottish Kail Brose,”—a tune that gave most especial delight to every Ruglen *black-neb*, *alias* Reformer.

After the good things had been disposed of, consisting chiefly of corned beef and greens, and rouths of liquor duly swallowed, the eldest Bailie arose and knocked loudly with his hammer on the table to command attention.

"I say, Provost—Provost I say (the Provost raps with his hammer), they're no drinking fair at this end of the table"—(hiccup).

The Provost (dunting now with his hammer)—"Gentlemen, take aff your *caukers*; nae heel taps here.

"Freedom and whisky gang thegither—  
Tak aff your dram!"

(Great cheering.)

Eldest Bailie—But, Provost, I say again they're no drinking *fair* at this end of the table. The Pollokshaws delegates are drinking *twa* glasses for our ane. Call them to order, Provost, or they'll soon drink us clean dry at this end. (Shouts of laughter.)

Up starts old Mr. Thomas Baird, the very worthy provost of the Shaws, who had at least a good many glasses in his belt. He was received with tremendous applause: "Three cheers for the Shaws Provost. Fiddlers, kittle up, play up 'Jenny Dang the Weaver.'" They did so with great birr.

Now, the Provost was a douce and discreet man. His face was as red and rosy as the full fledged moon. His dress as comely as that of any reverend father. In other respects he might have claimed kindred with Sir William Curtis, or the best of London Aldermen. His speech, short and pithy, electrified the audience. It was to this effect—"You see, Provost and fellow citizens, we're a young *Brugh* (Burgh) at the Shaws, just in our teens. But ye're an auld *Brugh* here—the auldest in Scotland

(Great cheering from the Rutherglen magnates.) You see, as I was saying,—(a short pause but another clapping of hands)—Ye're an auld Brugh and we are a young Brugh, but there is no saying what we may come to yet in the Shaws, for as the auld cock craws the young cock learns. (Great laughter and cheering.) Now, I'll just give ye my toast and sentiment: ‘The land o' cakes, and mair the morn.’” (Rapturous cheering.)

Such was a specimen of those ancient jollifications at Rutherglen, which did no harm to “the cause of civil and religious liberty,”—one of the standard toasts of the day, “all the world over.”

We now come to the momentous election in Glasgow—the last of its kind—transacted in the old Justiciary Hall at the Jail.

Mr. Campbell of Blythswood addressed the following letter to the then Provost of Glasgow, viz., Alex. Garden, Esq., son-in-law of Henry Monteith, Esq., of Carstairs. Mr. Garden's brother, viz., Hamilton Garden, Esq., was the first man that projected Blythswood Square, and all the fine buildings in that neighbourhood, but he was obliged to go to America. This letter, we think, has never been in print through any other hands but our own till now.

109 Jermyn Street, 2nd July, 1830.

My dear Lord,—As public business may detain me in London some days, I take the liberty to request that your lordship will have the goodness to lay the enclosed letter before the Council of Glasgow.

I had written thus far when I received, *most unexpectedly*, information, accidentally too, that Mr. Finlay has declared himself a candidate for the Glasgow district of Burghs, which, of course, changes my plans, and I shall endeavour to set out early to-morrow for Scotland, for the purpose of commencing a personal canvass. In the meantime, I confidently trust that my constituents will come under

no engagements until I have had an opportunity of personally paying my respects to them. I, for an hour, fancied I should have been able to get away to-night, but, besides necessary private arrangements, I find that a full attendance in the House of Commons, on several important matters, is particularly desired this evening.—I am, my dear Lord, most sincerely yours,

ARCHD. CAMPBELL.

London, 2nd July, 1830.

My Lord and gentlemen,—Flattering myself that I have not been wanting in zeal and assiduity in the discharge of the various and important duties of your representative in Parliament, I again take the liberty of soliciting the honour of your support at the approaching general election, and if I should once more have the good fortune to be the object of your choice, I pledge myself to a continuance of that line of public duty and attention to your general and local interests, which, I am proud to think, has on so many occasions been honoured with your approbation. I shall take the earliest opportunity of paying my respects to you in person; and in the meantime I have the honour to be, with the highest respect, my Lord and gentlemen, your most obedient and faithful servant,

ARCHD. CAMPBELL.

Mr. Kirkman Finlay also addressed the following letter to the Lord Provost. It may seem strange that these letters, so important to the Parliamentary representation of Glasgow, were never before published. They were privately handed round to the members of Council, or read at their private meetings—no reporters for the press being then permitted to be in attendance at any meeting whatever of the Council Board—

Glasgow, June 30, 1830.

My dear Lord Provost,—I take the earliest opportunity of acquainting your Lordship that I have, at the earnest entreaty of friends, and from a persuasion that I could better serve the great India and China question *in* than *out* of the House of Commons, resolved to offer myself as a candidate at the approaching election to represent this city in the new Parliament.

Your lordship will readily believe that I have come to this determination from no sort of hostility to our present Representative, for whom I entertain sentiments of the greatest regard and esteem, and from no consideration personal to myself.

If in the discharge of the important trust confided to your lordship, the Magistrates and Council, for the public benefit, you should think fit to select me, I need hardly require to assure you that although you can undoubtedly find many persons more able, you will find it impossible to choose any one more zealous for the great cause to which I have alluded, or more eager to promote whatever measures may improve and extend the mercantile interests of the nation, and advance the important concerns of this great city and its immense population. With sentiments of the deepest regard and attachment, I beg you to believe me to be, my dear Lord Provost, your Lordship's most obedient humble servant,

K. FINLAY.

A canvass, keen and sharp, was then anxiously entered upon by both parties and their friends and agents to secure a majority of the Town Council of Glasgow in the election of the Glasgow delegate—it being obvious that that delegate would infallibly decide the fate of the election. The two candidates for this important office of delegate in Glasgow were the Lord Provost himself; and on the other side, opposed to his Lordship, was Mr. Hugh Robertson, the *senior* Magistrate of the city. They were never opposed in the same manner before. The affair, indeed, was unexampled in the annals of the city. On counting heads during the exciting canvass, it was, strange to say, pretty well ascertained that the Magistrates and Council were nearly balanced, or *equally* divided in opinion, sixteen of them being for Mr. Campbell, and sixteen for Mr. Finlay. How was this to terminate? They were neck to neck—not a hair's breadth of difference between them in point of numbers. Who then could claim the majority? This, when divulged, put the city in an uproar. It hap-

pened that at that period there was rather a sort of remarkable man in the Town Council, viz., Mr. William M'Tyer, boot and shoemaker in Queen Street. He was a self-taught man—extremely well informed on all the passing topics of the day. He had professed *liberal* principles—then rather in the back-ground. He became a Radical leader in the Trades' House and at the Police Board, then in its glory; and from less to more he became Deacon Convener, which gave him the seat at the Council Table. So popular was he up to that period in Glasgow that the Trades' House would have him to sit for his portrait, which they hung up in their fine hall in Glassford Street—a rare compliment for any Deacon to have paid to him—and everybody of liberal principles calculated that surely Deacon M'Tyer would not turn his back upon himself, (as Lord Castlereagh once said of another personage), and vote in favour of the *Tory* candidate, thereby abrogating his previous professions.

The Deacon in other respects, as we very well remember, was a most social man. He could swig off his morning glass without much ado, and even after his meridian, he could measure most accurately the foot of any lady or gentleman that entered his shop for that purpose in the way of his business. He was at the very top of his profession amongst the Glasgow cobblers—as elevated amongst them at that period as is our adamantine friend the ancient Arrochar Cobbler, in his delightful regions looking down with his submissive wife on his buttermilk glen, as who that sees him or her does not admire in the summer months at

“Sweet Arrochar, beside the Doctor's Manse.”

Where is there to match the one or the other in all broad Scotland?

But we must not in this deviation lose sight of Deacon M'Tyer. Nothing delighted him so much at that election period, or at the proper season before it, as to gobble up young ducks and green pease in their prime, at the Partick Mills, in Johnny Craig's clean spence, frequently engaged with cronies for the occasion. It was a great *howff* for the best men of the city in former times—

“Departed never to return.”

Mr. M'Tyer's gusto on the ducks was terrible, perfectly unprecedented, which led our old friend, Dr. Strang, the City Chamberlain, to immortalise him with the lines of blind Alick, the Glasgow Homer, in this wise—

“The Partick ducks they quacked for fear,  
Crying—Gude preserve us, there's M'Tyer.”

Everything was done to get this worthy Deacon to vote on the side of Mr. Finlay, for if he had done so, Finlay (then the popular candidate) would have carried the election by the narrowest possible majority—by *one* solitary vote—yet it would have been enough for the purpose.

When the important day for deciding this preliminary point, viz., the election of the delegate, arrived, the old *carle*, Mr. M'Tyer, for such we may now call him, walked down to the Council Chambers with a firm step, keeping his mind to himself. Great crowds followed at his heels, some cheering, others hissing him. He was dour, stiff, and sicker, some of them said; as immovable, others said, as “Ailsa Craig”—a pretty good definition of his character at this point.

The roll was called in silent conclave within the Council Chambers. Every member thereof was in attendance, and all of them, as was said on a more important occasion,

when one of Lord Nelson's victories involved the fate of Europe,

“ Held their breath for a time.”

The following, however, is the exact state of the vote, which we here present to our readers:—

For the Lord Provost as Delegate for Mr.  
Campbell.

Dean of Guild Smith.  
Bailie Buchanan.  
Provost Garden.  
William Hamilton.  
William Gray.  
Alexander M'Gregor.  
John May.  
Robert Paterson.  
Robert Hinshaw.  
George Scheviz.  
Donald Cuthbertson.  
David Ferguson.  
Walter Ferguson.  
Archd. M'Lellan, jun.  
George Burn.  
William M'Tyer.

For Bailie Robertson as Delegate for Mr.  
Finlay.

Bailie Fleming.  
Convener Alston.  
Bailie Robertson.  
Bailie Graham.  
Bailie Ferrie.  
Robert Dalglish.  
William Rodger.  
John Smith, younger.  
James Browne.  
John Muir.  
William Craig.  
Alexander Wood.  
William M'Lean.  
William Frew.  
William Snell.  
James Paterson.

The following is a faithful copy of the original record of this important affair, from Mr. Reddie, the then first Assessor and accomplished Town-Clerk of the city:—

“ Whereupon the said Magistrates and Council did, by a majority, *in consequence of the exercise by the Lord Provost of the said original and casting vote*, elect and choose the said Alexander Garden, Esq., whom they testify to be a man fearing God, of the true Protestant religion, now publicly professed and authorised by the laws of this realm, expert in the common affairs of this burgh, and a burgess thereof, their very lawful and undoubted Commissioner; and did and hereby do give and gave to the said Alexander Garden, Esq., commissioner, full

power for them, and in their names, and on their behalf, to meet and convene within the Court-House and Council Hall of Glasgow, as being the presiding burgh of the said class or district of burghs, whereof the said Burgh of Glasgow is one, upon the 23d day of August instant, with the rest of the Commissioners chosen for the several burghs of this district, and to vote for and elect a burgess of the said class or district, of the most discreet and sufficient to represent the said district in the Parliament of the United Kingdom of Great Britain and Ireland, appointed to be held at Westminster, on the 14th day of September next."

On the day of the memorable election itself for the membership, viz., 23rd August, 1830, whether he was to be Mr. Archibald Campbell or Mr. Kirkman Finlay,—the old Justiciary Hall, thrown open for the first time for such a purpose, was crowded to excess. Outside, fronting the Green, the gathering was immense—unprecedented, we believe, at any previous election in Glasgow—which elections were indeed few and far between. Mr. Campbell, as we remember, had the greatest difficulty in finding his way into the crowded area. He was a fine, good humoured, jolly old gentleman, in appearance—neatly, but exquisitely dressed, according to the tip-top fashion of that day—beautiful embroidered silken vest, disclosing the exquisite cambric ruffles guarding the bosom of his shirt, whiter almost than the wreaths of undrifted snow in this bleak country of ours in wintry months, and corresponding somewhat to the grey or the white hairs of his own venerable head; yet then, in his summer display in addition to these habiliments, with his white linen trousers—kid gloves, recently imported from France, and rarely seen—Wellington boots, newly coming from London to this quarter of the world, polished like glittering steel, and tossing aside the old German boots, with their tassels dangling to the front of them, which George the Third

introduced, and which some yet amongst us may remember—old Campbell of Blythswood (and this is not a very old story after all) looked the very pink of perfection,—certainly he displayed in his own person the then living Lord Lieutenant of the County of Renfrew, which he was, and no man in Scotland, since the days of Mr. Dundas, had greater influence with the Government;—his vote, Yes or No, was always at their service;—he never made a speech on any subject in all his life. Sir Robert Peel, when he visited Glasgow to be inaugurated as Lord Rector of the University, took up his residence with Mr. Campbell, in the splendid new house which the latter had just then built near Renfrew. The *Reformed* Town Council of Glasgow—to their reproach be it now spoken—had refused to confer the Freedom of the City on that great statesman, but his reception at the College, and the *Banquet* given to him in Buchanan Street, atoned for it all. There were errors in judgment in those days, on both sides of politics, which may be now freely forgiven.

And Mr. Kirkman Finlay,—looking back upon him still—with all his faults in connection with the accursed *Spy system*, which disgraced this city and tinged it with crime, in the days of Richmond, the notorious spy, which we have yet to disclose to our readers in some subsequent chapter—Mr. Kirkman Finlay, we will here say, in justice, so far, to his memory (for although we wrote severely and pointedly against him on the above subject while he was alive, yet we entertain no grudge now towards him)—none whatever,—the grave, indeed, silences many of those things; and it becomes us well to state what many who knew him have admitted, was certainly (the spy system again always excepted) one of the most able, shrewd and enterprising merchants in the

city of Glasgow. He had the great merit of being the very first merchant in Glasgow who opened up the trade directly between this city and the East Indies, now yielding such enormous results ; and it is no disparagement to have it made known that his father played the *Bagpipes* through this city to raise recruits for the first Glasgow Highland Regiment of Volunteers ;—he himself became a captain of the same corps in the year 1803. We observe that our eminent friend Dr. Norman M'Leod of the Barony (we hope he will not be offended at this incident) has lately been giving the assurance—who doubts it ?—that the bag-pipes are the greatest instruments of musical valour in the known world. He asserts, conclusively enough, we think, that on the field of battle they would soon take the shine out of any organ whatever ; and it affords us some pleasure here to add, that the oldest, the best, and the steadiest friend perhaps we have now alive in this world, viz., Sheriff Barclay of Perth, is practising, we hear, his hand on the bagpipes with considerable eclat at this moment. We hope to be able to refer specially to some admirable productions from his own brilliant *pen* in early life, which we have carefully preserved, and which we doubt not will amuse not a few of our readers, if we are spared to overtake them in these random Reminiscences, which we bring out without any regular style or method, just as the spirit at the moment moves us, but always grounded on absolute facts and circumstances, which we challenge anybody here or elsewhere to contradict.

It is time now we should recur for a few minutes longer to the momentous business of that election. The Lord Provost Garden intimated to the assembled Council—he well knew how close the election would run—that he would

insist on giving his deliberate and *casting vote*, if necessary, as Lord Provost ; while on the other hand old Robert Dalglish, who afterwards became Provost himself, stoutly objected, and protested, and took instruments that the Lord Provost was not entitled to give *two* votes in the election.

And now for the finishing stroke of that remarkable election.

On the 23d of August, 1830, as we have already stated, the old Justiciary Hall was crowded to excess. A very few minutes decided the business within. The names of the *four* delegates from the *four* Burghs were quietly but reverentially called over—

Glasgow (per Provost Garden) first voted for Campbell.

Dumbarton next voted for Finlay.

Renfrew next voted for Campbell.

Rutherglen next voted for Finlay.

Glasgow (per Provost Garden) next voted for Campbell. But forward came Bailie Robertson, and protested and insisted, amidst great cheering, that he was the lawful delegate for Glasgow. He therefore tendered his vote for Mr. Finlay.

This was manifestly a *tie*—two and two on each side. All depended now on the legality of the *casting vote* ; and as the whole members of the Town Council themselves were equally divided in opinion on that point—there being, as we have shown, *sixteen* of them on the one side, and exactly sixteen on the other—it was conjectured by many quidnuncs of the city that the Town-Clerks, to escape the difficulty, would make a double return to Parliament, by inserting the names of Mr. Finlay and Mr. Campbell on the back of the election writ, leaving the House of Commons to declare for the one or the other of those gentlemen.

But not so. The Town-Clerks, charged on their oaths of office with the due administration of the *Law*, have ever been omnipotent in this city. They came to the conclusion—and a right conclusion we think it was—that although the votes of the Council were equal, yet the Lord Provost, on the equality being ascertained, had the absolute *right* to give not only his deliberative, but his *casting* vote; and, therefore, they at once returned Mr. Campbell as the member. Mr. Finlay, not satisfied with this, presented an election petition against that return to the House of Commons; and *eleven* members of that House, which was the number then fixed for election petitions—there are only *five* we think now—unanimously confirmed the opinion of the Town-Clerks of Glasgow, and declared that Mr. Campbell of Blythswood was duly elected for the Glasgow district of Burghs.

It is a melancholy duty, and somewhat singular, to remark, that of all those good and worthy members of the Town Council (whose names are above given) who voted for Mr. Campbell, only *one* is now alive, viz., Mr. David Ferguson, who was a Magistrate of the city in the olden time; and of all those who voted for Mr. Finlay, only *one* also survives, viz., Mr. William M'Lean of Plantation, who also became a Magistrate under the *new* regime. Thus these *two* veterans have lived beyond all others to see some most marvellous changes in Glasgow. We are humbly persuaded they cannot be offended at us for noticing them in this manner.

Such then was the last Glasgow election under the old regime. Nobody at that time thought it was to be the last of its kind; for although King William the Fourth had ascended the throne, nobody in those days imagined that the great *Reform Bill*, with all its attending retinue, was

so near at hand. Verily, we are rubbing our eyes and brushing up our memories and looking over some of our mouldering original papers ! Aye, there was yet another election under “the old regime”—more extraordinary by far, and infinitely more diverting, than the one we have just given. It actually carried us to London under the Speaker’s warrant. It shook the sides of some of the most eminent members of the House of Commons ; and, strange to say, the real details of it have never been given in any of the Glasgow papers other than our own, that we are aware of ; and since we happen to be the depositary of some of the most striking facts, and the last link of the chain of the olden squad who really managed it, perhaps our readers will bear with us if we bring it out in our next chapter.

We ought to add that on the afternoon of the 23d August, 1830, Mr. Campbell invited his friends and supporters to a splendid banquet in the Black Bull Ball Room, while Mr. Finlay entertained his in the Tontine Hotel. We have a list of the guests on both occasions, and it is sorrowful to think that the most of them are gathered to their fathers. Not more than half-a-dozen are to the fore in this city. Such is life!

“ Which with its glories, glides away,  
And the stern footstep of decay  
Comes stealing on.”

## CHAPTER XX.

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ANOTHER STRANGE ELECTION ON THE TOP OF BEN-  
LOMOND!—A NEW ELECTION WRIT—AND A NEW  
PARLIAMENTARY PETITION, &c.

TIME is a tell-tale. It changes the aspect of all things here below. We concluded our previous chapter by a reference to the dinner given by Mr. Kirkman Finlay, in the Tontine Hotel, to his friends and supporters, on the head of the memorable Glasgow election of 1830—the last election which took place in this city under the borough-mongering regime. At that dinner the spirits of Mr. Finlay, though defeated in the morning by Mr. Campbell of Blythswood, seem to have revived. He exultingly stated that it was his determination to petition against the return of Mr. Campbell to Parliament, and be himself the real *bona fide* member for Glasgow and its sister Burghs of Rutherglen, Renfrew, and Dumbarton. This announcement, on the part of Mr. Finlay, was received with “great cheering.” When Parliament assembled on the 26th of October, 1830, Mr. Finlay, true to his word, presented an election petition to the House. It was ordered to be taken into consideration on the 2nd of December following; but by that time vast political

changes had taken place which nobody dreamt of. The Duke of Wellington was then in the full plenitude of power, as Prime Minister of Great Britain. King William the Fourth had now met his new Parliament for the first time ; and a debate having taken place in the House of Lords on an address to His Majesty, the Duke, in reply to Earl Grey, took occasion to express his determined hostility to all Reform, however moderate in its nature. This aroused and petrified the country. It placed the Duke for the first time in his life in complete hostility to the great bulk of the people.

The Reform party, by small degrees, and emerging from great obloquy, were becoming strong, powerful, and united throughout the length and breadth of the realm. The House of Commons itself began to show symptoms of irritation and disappointment at the Duke's Government. The following paragraph, from a leading newspaper of that day, will speak for itself—

“ One of the most singular instances of fickleness in popular feeling is exhibited in the present hostility of the London mob to the Duke of Wellington. Till within these few days his Grace was always wont to be recognised by the populace with cheers; but since the meeting of Parliament he has been twice attacked, and on Wednesday last, so violent was the assault, that the police had to be aided by the military in keeping the peace.”

The state of *political* feeling at that period in London may be ascertained from the following extracts from the papers of that period:—

“ Great activity prevailed on Monday night in the office of the Secretary of State for the Home Department. The Duke of Wellington arrived at the Home Office about eleven o'clock, in consequence of a dispatch from Sir Robert Peel. Lord Fitzroy Somerset, Military Secretary to the Commander of the Forces, the Quartermaster-General,

and Sir Michael Birnie, the Chief Magistrate of Police, were also in attendance at the Home Office."

" Official Notice that their Majesties will not Dine at Guildhall.

" Guildhall, London, Nov. 7, 1830.

" The Committee appointed to conduct the entertainment proposed to be given on Lord Mayor's day next, on the occasion of their Majesties honouring the city of London with their presence, deem it their duty to give publicity to a letter received at nine o'clock this evening by the Lord Mayor, from the Right Hon. Sir Robert Peel, Bart., his Majesty's principal Secretary of State for the Home Department, of which the following is a copy:—

" Whitehall, Nov. 7, 1830.

" My Lord,—I am commanded by the King to inform your lordship, that his Majesty's confidential servants have felt it to be their duty to advise the King to postpone the visit which their Majesties intended to pay to the city of London on Tuesday next.

" From information which has been recently received, there is reason to apprehend that notwithstanding the devoted loyalty and affection borne to his Majesty by the citizens of London, advantage would be taken of an occasion which must necessarily assemble a vast number of persons by night, to create tumult and confusion, and thereby to endanger the properties and lives of his Majesty's subjects.

" It would be a source of deep and lasting concern to their Majesties were any calamity to occur on the occasion of their visit to the city of London, and their Majesties have therefore resolved, though not without the greatest reluctance and regret, to forego for the present the satisfaction which that visit would have afforded to their Majesties.—I have the honour to be, my Lord, your obedient servant,

" ROBERT PEEL.

" The Right Hon. the Lord Mayor."

On the 15th of November, 1830, the Duke's hitherto strong Government, on the question as to the appointment of a select committee (moved for by Sir Harry Parnell, an opposition member) to inquire into the management of the Civil List, was defeated in the House of Commons

by a majority of 233 to 204. This was the first fatal blow the Duke had ever received in Parliament.

Early on the following morning he resigned his office of Premier. His Administration was dissolved. The King sent for Earl Grey, and Earl Grey soon kissed hands as Premier, receiving from his Majesty full powers to bring forward a "Reform Bill," which the Duke of Wellington had peremptorily denied. This, then, was the advent of the first Reform Administration, under the great and good EARL GREY.

It became obvious that a *dissolution* of that new Parliament was speedily to approach ; and it was dissolved on the 23rd April following, within six months of its existence.

Ere that dissolution took place, Mr. Finlay's Glasgow Election Petition was disposed of, as we stated in the previous chapter. It came before the Committee of the House on the 2nd of December, 1830, and was heard for several days, at great expense to both parties. It of course continued to excite great interest in Glasgow, yet all that we find reported about it was told in the following meagre paragraph—

"Sir Robert Wilson presented the Report of the Glasgow Burgh Election Committee, which stated that the sitting member, Mr. Campbell, had been duly returned; but that the petition of Mr. Finlay was not frivolous or vexatious."

If the same thing had to be reported now, what a feast of fat things to the reporters ! The penny papers would be filled with it from top to bottom. We close it now with a few more interesting details.

This defeat in December only gladdened the heart of Mr. Finlay in April. He then saw the approaching dissolution of the Parliament, which he knew would extir-

pate Mr. Campbell, in all human probability, in Glasgow, because Mr. Campbell had voted *against* the Reform Bill of Earl Grey, on which the heart of the citizens, and nine-tenths of the people of Scotland had become intent. Moreover, a new change had taken place in Glasgow since the late election of the Parliamentary *Delegate* in Mr. Campbell's interest,—Provost Alexander Garden, who was that successful delegate, had ceased to reign. Provost Robert Dalglish (father of the present M.P.) came forward in his stead, and Mr. Dalglish was always the steady friend of Mr. Finlay, and had voted for him, as we showed, at the previous election. Therefore Mr. Finlay was pretty sure of Glasgow at this fresh turn ; and he was equally sure of Rutherglen, whose delegate, as our readers may remember, also voted for him at the previous election. He knew he had no chance in Renfrew, and therefore he disregarded it ; but he relied on the ancient Burgh of Dumbarton, whose delegate was hand in glove with him at the last tulzie.

Truly it is said, in the old Scotch proverb, that “the best laid schemes o' mice and men gang aft agley.”

The Royal Burgh of Dumbarton, at the approaching election, was now to be “the returning Burgh” with its casting vote. It could smile complacently with its 4000 inhabitants in the face of Glasgow, with its more than 200,000, at that period. It could also snap its fingers in the face of Glasgow, for it had then the *double* power over it by that casting vote ; and this, by-the-bye, is the secret for all the grand and valuable exemptions which the Burgesses of Dumbarton enjoyed for many a long day, when coming with their boats or merchandise to the Broomielaw, and escaping the river dues. It began in a species of bribery,—it ended in a tissue of fraud.

Mr. Campbell abandoned the field as perfectly hopeless. Mr. Finlay imagined he had it completely to himself. But there was in that Royal Burgh of Dumbarton a young, sprightly, spirited gentleman—an early school-fellow of our own—viz., Joseph Dixon, son of Jacob, the then Provost. We knew him intimately and well, and often had encounters with him and his brother Anthony at school. He had travelled much abroad. He had explored Australia when it was a wilderness. He had returned after squandering thousands upon thousands of pounds ; but he had then passed, and was becoming a rising and accomplished advocate at the Scottish bar. He was the counsel of Mr. Finlay at the previous Glasgow election, amongst with Mr. John Russell, also a very talented young advocate—long since dead. Mr. Dixon, the old high living Provost, was doatingly fond of this his second son *Joseph*, whom we are now bringing forward in the field in rather a remarkable way, as our readers will presently see. Joseph never wanted for money, or anything else he required ; and the princely income of the old gentleman from his glass bottle works—sometimes as high as £30,000 per annum—enabled him to enjoy every luxury. Prior to this election, and never dreaming of the Reform Bill at all, Jacob (the Provost) had purchased for his son Joseph a freehold qualification in the County of Dumbarton, at the price of one thousand guineas—actually paid down—to give his son the right of voting with some other 76 freeholders in that county ; which, strange to say, was the entire number of them in those days.

Joseph Dixon therefore had a manifest interest to vote against the Reform Bill of Earl Grey, which laid the axe at the root of all those paper freeholders in Scotland, but he manfully expressed his delight with it. When the

news of that Reform Bill came to Glasgow, we had the happiness to meet with him in the Eagle Inn, and broached the idea to him that, under his father's auspices, he might become the delegate for Dumbarton—for his father was then all-powerful in that place. He might then be called the Lord of its Manor; yet they were swept out of it ultimately, as if by a blast of the whirlwind, and the place which knew them once potently, scarcely retains any recognition of them. That circumstance may or may not be treated by other hands;—we must leave it to its own sad tale. We are only treating now about the matter of this extraordinary election itself; the like of which, we venture to assert, never occurred since the ancient Burgh received its first Charter from Alexander the Second, King of Scotland, in the year 1222.

While Mr. Joseph Dixon, like many other young men of that period, glowed with enthusiasm in favour of Earl Grey's Government Reform Bill—"the Bill, the whole Bill, and nothing but the Bill"—his father also gave it his hearty assent, and was quite charmed with the idea of making his son Joseph the veritable Delegate. The sage Mr. Kirkman Finlay, on the other hand, hung fire about it. He hesitated and he *doubted*. He would and he would not;—and there is a most significant passage in the Bible which has sometimes made a very deep impression upon us, viz., that "the man who doubts is damned."

In no flippant mood do we say—for the fact is literally and substantially true—that the *doubts* of Mr. Finlay, about Earl Grey's Reform Bill, *damned* him irretrievably in the estimation, at least, of the Reform Burgesses of the Royal Burgh of Dumbarton. It has also been said in the highest of all places, that "a prophet hath no honour in his own country," but Joseph Dixon prophesied, amongst

his fellow-Burgesses of Dumbarton, that the Bill would soon become the law of the land. In that humour, and in that belief, they pretty unanimously resolved to make him their Delegate in the coming election ; and they had bumpers—flowing bumpers, in the Elephant Inn of Dumbarton, that Joseph would become the Member of Parliament himself ;—and if their old Whig cronies in the Burgh of Rutherglen would stand shoulder to shoulder with them, there could scarcely be any doubt about it.

We therefore sallied out to Rutherglen, with a few chosen spirits, to feel the pulses of some of our old *Foxy* friends there, and met with the most cordial reception and wonderful success. They were perfectly charmed with the idea of getting young Joseph, out and out in favour of Reform, in place of old Kirkman—doubting, and ever doubting about it to the last. These movements were instantly communicated to the late Mr. Wm. Dixon of Govanhill—the kinsman of Joseph—an enthusiastic Reformer, most justly esteemed in this city, whose valuable mineral fields in and around Rutherglen gave him considerable influence in that place. He, also, was perfectly charmed with the idea of having his young friend sent as the Member of Parliament for the Glasgow district of Burghs, to support the Bill.

It may be remembered that on a subsequent occasion Mr. Wm. Dixon stood amongst with Mr. Dennistoun as candidate for this city, but Hastic and M'Gregor beat them.

What canvassing and flirtation then took place in all these Burghs ! We might devote some chapters to it, but have no such intention. Sufficient to say that Mr. Joseph Dixon, being now perfectly sure of his native Burgh of Dumbarton—which gave him with its casting vote two

strings to his bow—it only remained for his friends to secure Rutherglen, with its Delegate, in his favour, which would make him triumphant beyond all doubt.

Strange to say, the old “rotten Burgh of Renfrew,” as it was then called, unfolded its arms to Joseph. It drunk to his success over Finlay, in revenge for Finlay’s petition against Blythswood.

But still there was a battle to be fought for the great prize looming in the distance, which would soon settle the fate of all those Burghs together.

With the Delegate of the great City of Glasgow completely in his favour, Mr. Finlay conceived himself to be “cock-sure,” as the saying was, of his old Burgh of Rutherglen. Up to that moment he never doubted it, and seemed to pay little attention to it; but when he was apprised that Mr. Joseph Dixon, with his confederates, had entered the old Burgh, and by his addresses were captivating the hearts and raising the spirits of his old *Dulcinea*, a new vision, if we may so speak, came o’er the spirit of his dream.

What! would Rutherglen really *jilt* him after all? In good sooth she did. The young wooer, following up his advances, proffered her his hand and his heart for the Bill and so forth. Mr. Finlay was only at his “Hums” and his “Ha’s” about it, as we read in the “Gentle Shepherd;” and in this emergency Mr. Finlay felt it necessary, for the *first* time in this contest, to exert himself to the uttermost. His confident hope of Rutherglen was now looking rather like his “*forlorn* hope;” so every possible interest or influence that he could command in Glasgow was brought to bear on the Burgesses of Rutherglen. But Joseph, with the goodwives of those Burgesses, was all in all. They were heroines in their own way for the Reform Bill. They

saluted—some of them actually kissed Joseph as the best of patriots, the most glorious of men ever seen in Rutherglen since the time when Sir William Wallace, with his brandishing sword, had marched through it; and that sword of Wallace, actually deposited in Dumbarton Castle, acted like a talisman in favour of Joseph coming from Dumbarton. All the eloquence of Mr. Finlay about the East India Charter, or the opening up of the trade to India, could not for a moment cope with it in their eyes.

Mr. Finlay, however, was persistent. He strained every nerve to drive away Joseph, but Joseph was not the man to be so driven back. He had secured distinct promises and pledges from fourteen out of the eighteen Councillors of Rutherglen, that they would vote for the Delegate in his favour. He had only *four* adverse voters in Rutherglen. These, of course, were in favour of Mr. Finlay.

*Tormented*—sorely tormented, in every sense of the word, these fourteen Councillors were by night and by day, by the agents of Mr. Finlay, to get them to wheel round and vote for that gentleman. Some of their fickle damsels engaged in the contest, and getting promises of fine new gowns and silken garments, and other things, now began to waver; but the men themselves stood true for Joseph.

They hinted to him,—they actually begged and beseeched him to remove them away from the scene of their temptations in Rutherglen, and to carry them to the strong citadel of his brethren in Dumbarton, where they could safely remain till the day of battle approached, when they would faithfully vote for him and crown him with their laurels. This was a good idea, certainly; but it might be questionable on other grounds. It was adopted.

CHAPTER I.—THE FLIGHT OF THE RUTHERGLEN COUNCILLORS TO DUMBARTON.

We are now coming to an amusing, and rather laughable part of our story. Those fourteen Councillors quietly bundled up their shirts and night-caps, razors and straps, in their napkins, at Rutherglen (such a thing as a carpet-bag, or a leather portmanteau, amongst them was not to be seen), and away they hied to the Broomielaw of Glasgow, where they embarked in one of the Dumbarton steamers, commanded by Captain James Lang, a genuine Dumbarton youth, who, learning the nature of their destination, received them with open arms, hoisted his flag at the stern of his steamer, and treated them to the best things in his cabin.

On reaching the quay of Dumbarton, they were received with flying colours, and bands of music, &c.

“Dumbarton drums beat bonnie, O !”

In short, they received such a grand reception in the Royal Burgh as made a most deep and gratifying impression on their Rutherglen hearts. They became proud as Lucifer at their reception; for they saw quite well that they were becoming most important personages indeed.

After spending a day or two in Dumbarton at “heck and manger,” they were driven in carriages to the inn at Balloch, where jolly-boats were soon engaged to row them over to Luss; and in the inn at Luss they did execution for a couple of days on all the contents of that delightful inn, in that lovely spot which has ravished the best and greatest travellers in the world. Some of our Ruglen friends, struck with the beauty of the place, partly confessed that in their eyes it was *nearly* as pretty as the Clyde at the Dalmarnock Ford, near Rutherglen; and others of them

owned that the peep of the hills, including the lofty Ben, was almost *equal* to their own Cathkin braes near Rutherglen, to which their hearts still yearned. Others of them, in good humour, began to sing and whistle “Jessie the flower o’ Dunblane,” “O a’ the airts the wind can blaw,” and so forth.

On the second or the third or the fourth day they were again rowed across from Luss to Rowardennan, and it was really amusing to see some of them astride for the first time on Highland ponies, to carry them to the top of the lofty Ben, where a most important piece of real business was to be transacted, as we shall soon show—the most extraordinary of its kind, we will be bound to say, ever transacted in that lofty and renowned region. We shall not speak of the numbers of bottles of whisky, porter, and ale, or the whangs of cold meat, bread, and cheese, with other things, carried up and disposed of on that occasion. No party, we will venture to say, ever ascended Benlomond with so many wallets on their backs, staggering at every side, and yet discussing the affairs of the nation. The nine tailors of Tooley Street, when addressing the House of Commons as “We, the people of Great Britain and Ireland,” could not have been more dignified in their own way, than our friends the Electors of Ruglen.

When they reached the top of Benlomond they renewed their vows of fidelity to Joseph in flowing bumpers of the best champagne. They on the top, unanimously elected him as their delegate—Hip, hip, hurrah; and their echoes after they had subscribed a solemn document to that effect, written under the clear and sunny smiles of the lofty Ben, had a most imposing effect. Never were such a group of *delegates* seated on Benlomond! Never was

such business transacted upon it anent the election of a member to Parliament. It is no exaggeration for us to say that it is wholly unexampled in the annals of Parliamentary Elections. Where is there anything equal to this on the top of Benlomond? And, therefore, it is only but an agreeable part of our duty to place it for the first time on record, and to commemorate it in this way, since if we omitted to do so, the affair itself would be utterly lost to posterity, whether it be trivial or important.

After this real piece of business was duly transacted on Benlomond, the unanimous and jovial party descended to Rowardennan, and drank the innkeeper there nearly dry. Their next route was to the charming Inn at Tarbert—from thence to Arrochar—from thence to Helensburgh,—from thence to the Ardencaple Inn at Row,—from thence across to Drymen, Aberfoyle, Stirling, and other places, where the choicest of *prog*, spirits, and wines were supplied to them, for old Provost Jacob Dixon of Dumbarton, had enjoined that they should have the very best of “eatables and drinkables” at his own expense, wherever they went, cost what it might. Some may think that this was reprehensible. We are merely giving the facts as they occurred—let others draw any deduction from them they please.

Meanwhile the absence of those Councillors from Rutherglen for so many long days, created the greatest consternation in that Burgh. When Mr. Finlay went out to *renew* his canvass, “the birds were flown;” whither, none could tell. But Joseph, the competing M.P., kept the abiding Burgesses in good humour by his fervid eloquence for “the Bill, the whole bill, and nothing but the bill”—*that* was then the usual and favourite mode of saluting it—and although he had a pretty good idea

of the whereabouts and safety of his trusty friends, he kept the secret to himself, and left Mr. Finlay "to whistle o'er the lave o't."

It was no whistling matter for that gentleman, but a grievous disappointment to him. His prospects were indeed looking gloomy and desperate in Rutherglen, where he had formerly been the greatest favourite. Yet three or four of the Ruglen Councillors had remained at home faithful to him, living also at "heck and manger," at open tables plenteously provided for them, of course, by some "unknown friend ;" but one of them who was getting rather fidgetty and obstreperous in his allegiance, and hiccuping somewhat in favour of Mr. Dixon, was carried down with bed and blankets into a coal pit, where he was kept for a considerable period—treatment not nearly so fine as that of his other friends, roaming at large in the delightful places above enumerated.

At last the morning of the memorable day of election of delegate dawned on the ancient and agitated Burgh of Rutherglen. No appearance of the fourteen absent Councillors. The afternoon approached, they were still *non est*. The evening six o'clock bells had rung out in Glasgow, still they were away! Seven o'clock had been fixed as the hour of election. It was rapidly approaching, and Mr. Finlay and his agents and friends at last began to rub their hands in ecstasy, thinking that some accident or blunder or disappointment had happened to the absent patriots, and that the Finlayites would, in a few minutes, now have it all their own way. The then Provost of the Burgh, a most upright worthy man, John Gray, Esq., of Eastfield, was all along firm and decided for Mr. Finlay, and thus apparently at this most critical and decisive juncture everything formerly gloomy was now boding fair for

the laird of Castle Toward. The thumping Royal Burgh bell, ever ready to assemble the Town Council in the hour of cause, had actually commenced to ring its last summons for the meeting, and had nearly run out in the full discharge of its official functions, when lo! some thrilling bands of music, with drums beating and colours flying, were heard and seen approaching from Polmadie. We must pull up for a moment to put our own narrative at this point in proper marching order. It had been cannily arranged to give the "absentees" a splendid collation in the house of William Dixon, Esq., of Govanhill, the steady friend and kinsman of Joseph, precisely at five o'clock that afternoon, to refresh their spirits on their return from their long peregrinations. True to the appointed time, they all assembled in that hospitable place. Hundreds of Mr. Dixon's colliers, besides others, drew up near the lawn and cheered and better cheered, almost till the blue vaults above re-echoed to the shouts. Onwards they marched in regular array, as if they were going to some grand military review. When they fairly approached the boundaries of the "auld Brugh," the bands of music preceding them, struck up, appropriately enough, the tunes, "See the Conquering Heroes Come," "Should auld acquaintance be forgot," &c. Every man, woman, and child turned out to see this unexpected and most astonishing procession. The faithful wives of the "abstracted" were in a delirium of joy at beholding them coming to their embrace once more. An attempt, however, was made to kidnap some of them before entering the Council Chambers, and great was the uproar about it, but at five minutes past the appointed hour of seven o'clock the whole of the eighteen Councillors of the Burgh of Rutherglen were duly and lawfully seated in the ancient Council Chambers,

answering to their names. Soon the important business itself was over. On giving an assurance that the Provost would vote according to the wishes of the majority, he was unanimously elected as "delegate," and the majority of fourteen being for Dixon, the Provost pledged himself accordingly. It was a most uproarious night *that* in Rutherglen, as we can testify. The natives, as the saying is, were neither to *haud* nor *binn*. They were in a delirium of joy for Joseph, "the man of the people."

We might now draw the curtain on Rutherglen. It was, however, duly reported to us, that on the following morning, or the morning after that again, one of our old trusty friends, a decent weaver and councillor aforesaid, felt himself in a sad quandary. He had, for sometime past, been feasted on turtle soup, fresh salmon, roasted lamb, young chickens, roast beef and plum-puddings, washed down with all sorts of Rhenish wines, whose names were to him of the most heathenish pronunciation. The *carnival*, however, had now come to an end. The *wabster* had returned to *his long web and short commons*. On the morning aforesaid, his soncy wife, rejoicing to see her liege lord, for the first time these ten or fourteen days, back again to his own dwelling, placed before him his accustomed *cog* of oatmeal porridge with his mug of buttermilk. The aristocratic stomach of our hero, which had so long feasted on the fat and dainties of the land, turned now with loathing at the plebeian fare. At last, condescending to taste the milky beverage, to quench, perhaps, his immediate thirsty craving,—to the astonishment of his faithful wife, he burst out into a perfect torrent of declamation, and aping the language of some of his recent companions and purveyors of wines, he exclaimed with an oath, "Take away that milk, I declare IT IS CORKED!"

On the 23d of May, 1831, Mr. Joseph Dixon had the felicity of seeing himself in his own native Burgh of Dumbarton declared to be the Representative in Parliament of the Glasgow District of Burghs. He placed one of his first *franks* at our disposal, which we still retain as a great curiosity of its kind.

Mr. Finlay, brimming with anger and disappointment, threatened to oust him if he could with an election petition. No sooner had Mr. Dixon taken the oaths and his seat in Parliament beside the seat of Mr. Joseph Hume, with whom he always faithfully voted, than Mr. Finlay's election petition, charging him with "Bribery and corruption," was tabled 14th June, 1831. This petition was ordered to be taken into consideration on 21st July following, when the following committee to try its merits were balloted for and chosen, viz., Lord George Lennox, brother of the then Duke of Richmond, *chairman*; the Hon. Wm. Maule of Panmure, M.P. for Forfarshire, father of the present Earl of Dalhousie; the Hon. D. P. Bouverie, M.P. for New Sarum, brother of the Earl of Radnor; Wm. Lyons, Esq., M.P. for Seaford (demolished by the Reform Bill); W. D. Gillon, Esq., of Wallhouse, then M.P. for the Selkirk District of Burghs, so called, consisting of Selkirk, Linlithgow, Lanark, and Peebles; Lord Viscount Holmesdale, M.P. for East Grimstead, (demolished by the Reform Bill), eldest son of the Earl of Amherst, Governor-General of India; the Hon. Henry Howard, M.P. for New Shoreham, (demolished also by the Reform Bill), nephew of the then Duke of Norfolk; Sir H. Bunbury, Bart., M.P. for the County of Suffolk; the Hon. Cecil Forrester, M.P. for the Burgh of Wenlock; the Hon. Henry Meynel, M.P. for Lisburne in Ireland, cousin of the then Marquis of Hertford; and the Hon. Sir Henry

Willoughby, Bart., M.P. for Yarmouth. So this, to say the least of it, was a most distinguished committee to try this election petition.

CHAPTER II.—THE FATE OF THE PETITION, AND THE RICH SCENE  
BEFORE THE COMMITTEE OF THE HOUSE OF COMMONS.

A GREAT number of witnesses were *subpœnaed* from Glasgow to go to London for both parties. We were placed upon the list for Mr. Dixon. All the absenting, or as some called them, the *absconding* Councillors of Rutherglen in the interest of Mr. Dixon, were served with warrants from the Speaker of the House of Commons, at the instance of Mr. Finlay, to attend in London, and they all attended. Their evidence was graphic in the extreme. Mr. Finlay had for his counsel in this petition Mr. Sergeant Spankie of the English bar, and Mr. John Russell of the Scottish bar, with Messrs. Mundell of London as his agents. Mr. Dixon had for his counsel Mr. Harrison and Mr. Sergeant Heath of the English bar, and Mr. Alex. Dunlop, the present M.P. for Greenock, with Mr. Archd. Graham of Messrs. Graham & Weems, the eminent Parliamentary Solicitors, as his agents. The committee sat for several days. We attended during the whole time. No report of the proceedings *in extenso*, strange to say, was published in any of the Glasgow newspapers, but we have a complete copy of the short-hand writer's notes, given to us at the time by Mr. Archd. Graham, whose friendship we enjoyed till the day of his death. His eminent firm still exists—none more able or honourable in Westminster. Will our readers be pleased to excuse us for selecting the following rare passages from the evidence of only two of the Rutherglen Councillors, which may be taken as a choice sample of the whole:—

Mr. John Jack, tailor in Rutherglen, and one of the Councillors of that Burgh, called in and examined by Mr. Sergeant Spankie for Mr. Finlay. After describing the canvassing in the Royal Burgh, he goes on as we here give it from the veritable notes.

Do you remember going to Benlomond ?

O yes !

Were you accompanied by the party ?

Yes ! but not the whole of them to Benlomond.

(A paper was here shown to witness.)

Where was that paper written ?

On the top of Benlomond.

(Here the first symptoms of laughter began on the part of the committee.)

Did the other *gentlemen* who were with you (shouts of laughter) see it ?

Yes ! they did. (Renewed laughter.)

It is a very high mountain (looking gravely) this Benlomond, is it not ? quoth the Cockney counsel.

Yes, it is, said the Rutherglen witness. It is a very high mountain ; more than any I have seen here. (Roars of laughter.)

Were there any cheers given when you got to the top ?

O yes, we had cheers. (Laughter renewed.)

I do not mean to ask you whether you carried up any whisky to the top ?

But I tell you, sir, said the blunt witness, that we *did* carry whisky to the top. (Roars of laughter.) And I think, my lords and gentlemen, (continued the Ruglen tailor) he would be a great fool who would go up there without it, amongst the frost and snow. (Laughter increased.)

Is it frost and snow there in the month of May ?

Yes !

(This answer created some sensation amongst the English and Irish members.)

You say (said the counsel, mimicking the witness) that the *other* gentlemen saw this. (Roars of laughter.)

Witness—Aye, they saw it, but they did not sign it. I signed it for them by unanimous concord. (Shouts of laughter.)

It was read and you agreed upon the matter of it ?

Yes ! exactly.

Was it read to them ?

Yes ! it was read to them as I am telling you. (Great laughter, in which the counsel himself joined.)

The document referred to was here delivered in and read to the Committee as follows :—

“TOP OF BENLOMOND, THE 14TH DAY OF MAY, IN THE YEAR OF  
GOD 1831, AT 4 O'CLOCK AFTERNOON, CONVENED THE ELEC-  
TORS OF THE ROYAL BURGH OF RUTHERGLEN.

(Here the whole committee were convulsed with laughter. Lord George Lennox, the chairman, declared it was the most unique document he ever saw. He begged that the learned counsel for Mr. Finlay would read it over again for the edification of the committee ; and Mr. Sergeant Spankie, who was himself a Scotchman, originally from Dundee, but in great practice at the English bar, read it in the gravest manner, but with the most exquisite effect, which unhinged the committee for several minutes, and other members of the house were flocking in to enjoy the laughter.)

CONVENED THE ELECTORS OF RUTHERGLEN, IN THE FOLLOWING ORDER,  
viz :—

Thomas Jackson, Wm. Shields, James Turnbull, John Jack, John Brown, John Brisbane, John Young, and Wm. Alston, who hereby pledge themselves to return Mr. Joseph Dixon as their Representative to Parliament on the 20th current.”

Mr. Sergeant Spankie (resuming his examination and addressing witness)—I presume, Mr. Jack, when this was agreed, you gave three cheers. (Laughter.)

Witness—I can truly say there *were* cheers ; what for no ? (Great laughter.) And to convince you that we were loyal, we drank his Majesty's health in flowing bumpers ; but we had cheers before that. (Great laughter.)

Dixon and the King ? (said Spankie) probably putting Dixon first ?

No ! (said the tailor) we did not put them together. We gave to the King his due.

Then where did you go to, sir, after you had ascended the mountain ? asked the animated counsel.

Witness, looking artlessly at him—“*To the bottom, sir, to be sure.*” (This blunt, racy answer, perfectly upset the committee. The

roars of laughter were now heard through the entire lobby of the old House, and the committee rooms were crowded almost to suffocation.)

We shall only trouble our readers with a specimen of the examination of the next Rutherglen witness, called by Mr. Finlay, viz., Mr. John Young, a most sagacious Councillor, connected with the squad.

Counsel—Pray, sir, where did you go to for the first night after you descended from Benlomond ?

To Tarbert.

Did you sleep at Tarbert ?

Yes, we sometimes slept and sometimes wakened. (Laughter.)

Did you see M'Aulay or M'Kenzie, the friends or agents of Mr. Dixon, at Mrs. Currie's in the King's Arms Inn, Dumbarton ?

Yes, I think I did.

They are the friends of Mr. Dixon in this election ?

Doubtless they are. (Laughter.)

Well, what is the trade of Jackson, your other friend, the Councillor ?

He is a *nailer*.

Chairman (surprised)—A what ?

A *nailer*, my lord, a genuine nailer—the best in Rutherglen. (Roars of laughter.)

Is he a man of any property ? or a poor man ?

He is just a common tradesman, my lord.

Were the persons along with you connected with the burgh of Rutherglen all common tradesmen ; please tell me (said Lord George) what each of them is (reading the list). Is Thomas Jackson a *working nailer* ?

Yes, my lord.

What is James Turnbull ?

A weaver, my lord.

Are you a weaver yourself

I am, my lord. (Great laughter.)

At that time how much could you make a week by weaving ?

I think, my lord, by tolerable hard work I could make about eight shillings a week. (Sensation.)

What is John Brown ?

A weaver, my lord.

What is William Shields ?

A mason.

A working mason ?

Yes, my lord.

What is John Jack ?

A tailor.

John Brisbane ?

Another tailor, my lord. (Renewed laughter.)

Robert Brisbane ?

A weaver.

William Alston ?

Another weaver, my lords and gentlemen. (Shouts of laughter.)

Was James Young, who went with you to Benlonond a Councillor at Dumbarton ?

He was, my lord.

What is his trade ?

A nailer, I think, my lord. (Renewed laughter.)

Chairman—Plenty of *nailers*, I see. (At which remark of his lordship the other members of Committee, by their visages, heartily concurred.)

Sergeant Spankie (resuming the thread of this examination)—Pray, sir, have you any *fiddlers* amongst you in the Town Council of Rutherglen ? (Roars of laughter.)

Witness (with stoic dignity)—No, my lords, we have neither *fiddlers* nor *jumpers*, and we despise all creatures in the name of *turn-coats*.

(This answer settled Sergeant Spankie.)

Sergeant Heath, in cross-examination for Mr. Dixon—I presume you are all decent, honest people in the Royal Burgh of Rutherglen ?

Perfectly so, my lords and gentlemen, (said the shrewd and unsophisticated witness) but there are *corbies* amongst us who could pick out each others e'en.

Here the noble chairman held his sides, and bowed his best acknowledgements to the witness, who withdrew.

Mr. Joseph Dixon, in reference to his return, told the entire truth, as we have here (perhaps very imperfectly) stated it. He admitted the removal of the Rutherglen Councillors, at their own solicitation ;—he admitted the

*feasts* provided for them, not by his own agency, but by the superior authority of his father, who paid every plack and penny, to a large amount, without murmuring. Mr. Joseph Dixon therefore pled that this was a filial duty on the part of his father (for which he was grateful) which he could not disavow, and for which he hoped the Honourable Committee would not *punish* him by the loss of his seat. He only called one single witness into the box before the Committee, viz., Mr. Primrose Bell, the old cashier of the Dumbarton Bottle Work Company, whose premises in Glasgow stood on the site of the present Glasgow Custom House, in Great Clyde Street, adjoining the Broomielaw. Some yet may remember the calm, pleasing appearance of Mr. Primrose Bell, in his sung, self-contained dwelling-house in that street ; and his dignified appearance in the Committee Rooms of the House of Commons, after the laughable scenes with the Rutherglen Councillors, impressed the Committee with considerable effect. Nevertheless, the Committee were divided in opinion. The Honourable Mr. Maule of Panmure suddenly took unwell. He was thought to be a firm and decided supporter of Mr. Dixon ; and Mr. Dixon began to lament his absence from the division, and to think his seat in consequence would be in greater jeopardy. But Lord George Lennox rang the bell, and, after a long consultation, announced in the crowded rooms, that the Committee dismissed the petition of Mr. Kirkman Finlay, and declared Mr. Joseph Dixon to be duly elected. We will not blink the matter by saying that we never spent a happier evening in London. But Joseph is dead. Within a few weeks after his triumphant success before that distinguished Committee, he was hastily summoned to return to Scotland to bury his father and his elder brother, on the

same day, in the same grave. He himself is buried beside them ; but to the reproach, we had almost said *disgrace*, of his hurrahing constituency, they have neglected to rear any tablet whatever to his memory. Yes, the man who devoted his faithful services, and sacrificed his direct patrimonial interests in their behalf ; who was instrumental in demolishing the old corrupt rotten burgh system, and procuring *two* independent Members for Glasgow in Parliament, has been utterly neglected, even by the *turf* on his grave ! Is that reproach to remain any longer ? For the sake of a few pounds sterling, shall it not be rectified ? Perhaps we may have another opportunity of saying a few words on this subject. Meanwhile we have been humbly endeavouring to rescue the memory of Mr. Joseph Dixon from oblivion, and whether we have been successful or not, in these crude sketches, we cherish the hope that there are some salient points about them not destitute of interest.

## CHAPTER XXI.

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### THE ADVENT OF THE GREAT REFORM BILL OF 1830, IN GLASGOW, AND SOME OLD SCENES RESPECT- ING IT, WORTHY OF BEING REMEMBERED.

ONE great mistake—one very egregious error of judgment—perhaps the first in his eventful life, was committed by the late Duke of Wellington, who, when Prime Minister in the reign of George the Fourth, in the year 1830, emphatically denounced the cause of Reform, and set his face against it. Had the illustrious Duke, at that period, consented to transfer the representation of the two insignificant rotten Burghs of East Retford and Old Sarum—then brought under the notice of the House of Commons for their flagrant corruption—and bestowed them, as he was beseeched to do, on the rising towns of Manchester and Birmingham, which had no members to represent them in the House of Commons at all, it is more than probable that the loud shouts for Reform then raised would have been hushed to silence, and the Duke's Tory Government carried on with increased power. But his absolute and peremptory denial of Reform, in the just degree here stated—that is, giving to Manchester and Birmingham some small share in the representation—up-

set his strong Government, and dashed it to pieces. The French Revolution of 1830—the three glorious days of Paris as they were then called—which drove the Bourbons from the throne of France, and gave it to Louis Phillippe, had a most tremendous effect in this country at the time for whetting the appetite for Reform in our institutions, so glaring as these were in many respects. The Duke, who conquered at Waterloo, could not stand the torrent at home. The House of Commons voted against him by a majority of twenty-nine on the Civil List, and he had no alternative but to place his resignation in the hands of the King, viz., William the Fourth.

This, we say, was the termination of the strong *Tory* Government of that day, and the calling into existence of the *Whig* Government of Earl Grey to guide the helm.

It may be interesting here to note the names of the members of the Duke's Cabinet or Government thus overthrown. They were as follows :—

<i>Premier,</i>	.	.	.	The Duke of Wellington.
<i>Chancellor,</i>	.	.	.	Lord Lyndhurst.
<i>Chancellor of Exchequer,</i>				The Right Hon. Henry Goulbourne.
<i>Home Office,</i>	.	.	.	Sir Robert Peel.
<i>Foreign Office,</i>	.	.	.	The Earl of Aberdeen.
<i>Colonial Office,</i>	.	.	.	Sir George Murray.
<i>Admiralty,</i>	.	.	.	Lord Melville.
<i>President of the Council,</i>				Earl Bathurst.
<i>Privy Seal,</i>	.	.	.	The Earl of Rosslyn.
<i>Lord-Lieut. of Ireland,</i>	.			The Duke of Northumberland.
<i>Board of Trade,</i>	.	.	.	Mr. Frankland Lewis.
<i>Board of Control,</i>	.	.	.	Lord Ellenborough.

These are all dead, with the exception of the last named nobleman, viz., the present Earl of Ellenborough, who has seen much service, and is now in the 80th year of his age.

It should never be forgotten that the great and good Earl Grey, who succeeded the Duke of Wellington as Premier, in 1830, was the identical personage who, in his place in the House of Commons, in the year 1793, as plain Mr. Charles Grey, advocated strenuously the principles of Reform, and commiserated the cruel fate of Thos. Muir, and the other Scotch patriots of that period, who were doomed to transportation for fourteen years.

Parliament stood adjourned till the 3rd of February, in order to give the Earl an opportunity of arranging and completing his new Whig Cabinet; and on that day he kissed the King's hand on the clear principles then mooted by the Earl, and recognised by His Majesty, of "Retrenchment, Economy, and *Reform*."

It may be as well here to give the names of the Earl's Whig Cabinet, or Government, as follows:—

<i>Premier,</i>	.	.	.	Earl Grey.
<i>Lord High Chancellor,</i>	.			H. Brougham, created Lord Vaux and Brougham.
<i>Chancellor of Exchequer,</i>	.	.	.	Lord Althorp.
<i>Home Office,</i>	.	.	.	Lord Melbourne.
<i>Foreign Office,</i>	.	.	.	Lord Palmerston.
<i>Colonial Office,</i>	.	.	.	Viscount Goderich.
<i>Admiralty,</i>	.	.	.	Sir James Graham.
<i>President of the Council,</i>	.			Marquis of Lansdoune.
<i>Privy Seal,</i>	.	.	.	Earl Durham.
<i>Lord-Lieut. of Ireland,</i>	.			Marquis of Anglesey.
<i>Chief Secy. of Ireland,</i>	.			Mr. Stanley, now Earl Derby.

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<i>Board of Trade,</i>	.	Lord Aukland.
<i>Board of Control,</i>	.	Mr. Chas. Grant, created Lord Glenelg.
<i>Paymaster-General,</i>	.	Lord John Russell.

Of that original *Whig* Cabinet, all, strange to say, are gone, with the exception of Earl Derby, Lord Russell, Lord Brougham, and Lord Glenelg. What a combination! to see Earl Derby afterwards become the great Tory Premier; and Earl Russell now holding the reins with the Reform Bill of 1866!

On the first day of the meeting of Parliament, Earl Grey stated in his place in the House of Lords (the Duke of Wellington being present) that although it had been with very considerable difficulty, His Majesty's Ministers had at last succeeded in framing a measure of reform, which, he trusted, would be effective, without exceeding the bounds of a just and well-advised moderation.

On Tuesday, the 1st of March, 1831—that is, exactly thirty-five years ago—the task was delegated to Lord John to ask leave of the House of Commons to introduce for their consideration the Great Reform Bill itself, which for the first time offered the elective franchise to all householders in cities, towns, or burghs, paying rent of £10 per annum, and in counties paying rent of £50 per annum. We don't mean to dwell on the sweeping changes it made, or the numerous close and corrupt burghs it demolished, bringing new and potent and more deserving ones in their steads—such, for example, as the giving to Glasgow two independent members, in place of the pitiful quarter of one; of giving to Paisley, Greenock, Perth, and Dundee their just proportions, hitherto most shamefully denied to them; and of giving, at the same time, to the Capital of

Scotland two members, in place of one hitherto chosen by some thirty-three individuals!

It is the fact that the simple motion of Lord John Russell for *leave* to introduce the Bill was discussed with great vehemence, for seven long nights, in the House of Commons. The Tories, to a man, were furious against it, and they entertained the strange belief (they are wiser now) that if they could strangle it by a majority, however small, on its first attempt to be admitted into that House, they would overthrow Earl Grey and his Reform Cabinet, and call back the Duke of Wellington with his legions.

The country, at this disclosure, was absolutely preparing for *Revolt*. Birmingham, headed by Thomas Attwood, was threatening to march to London to assert their rights. Manchester was preparing to do the same thing. All the large towns and burghs in England of any consequence were in a state of excitement and perfect determination; and Scotland was not behind in any way.

We have told our readers that the motion of Lord John Russell for leave to introduce his Bill, was made on Tuesday the 1st of March, 1831; and it may surprise our younger readers, and even some of our elder ones, to be informed now that the news of it did not reach Glasgow till the *afternoon* of Thursday, the 3rd of that month. Consider here again the remarkable change which has taken place in the communication of news. Why, with all the galloping of horses, you could only have tidings in Glasgow from London in about two or three days; whereas now, you have the debates in the House of Commons of last night spread out before you in print, on your breakfast table, on the following morning.

We remember well,—it was a beautiful mild serene

evening that of Thursday, the 3rd March, 1831, when the news of this first great Reform Bill arrived in Glasgow—very different from the raw, wet, and disagreeable weather we have lately had at the same period of the year. The seasons, we think, are really changing from what they were wont to be in many ways. But whether or not, all Glasgow was in a perfect glow of excitement, when the plain fact was announced that the city was to get two members, and that every man who had a house of £10 rent above his head would be entitled to vote and and elect these members.

We repeat that this intelligence created exceeding great joy in Glasgow to all classes, excepting those who were inexorably wedded to the old close-burgh system, and could see nothing in the least degree defective or wrong about it. In other words, they would have the election system just to remain in the hands of one delegate, chosen by some 32 individuals, in the way we have been describing in some of our previous chapters, in place of extending it, as we guess it will soon be, over some 30,000 duly qualified electors!

It is almost refreshing to our old bones to turn up the files of the *Glasgow Chronicle* of the following evening, after the news reached Glasgow—there were no *dailies* in those days—and we readily snatch this paragraph from the old liberal *Chronicle*, now defunct:—

“At the hour of the London mail’s arrival yesterday afternoon, both the Exchanges were thronged with people anxiously waiting for the intelligence respecting Parliamentary Reform. In the Royal Exchange, Mr. David Bell, the secretary, mounted a table, properly situated for the purpose, and read the principal parts of Lord John Russell’s speech from the London *Sun* newspaper, surrounded by a large crowd of gentlemen, who repeatedly cheered the announcements made in the speech, particularly those regarding Scotland, and espe-

cially the extension of the representation to Glasgow. Mr. Allison, the keeper of the Exchange, who took the trouble of counting them, found the number present to be about 900. In the Tontine Coffee Room at the Cross, the principal parts of the speech were also read by Mr. Thomas Atkinson, jun., and Mr. Peter Mackenzie."

In the *Scots Times* of the following week, a most able and liberal paper, also defunct, the following appeared, a true copy of which we have also long faithfully preserved. It was, we may remark, the first Reform requisition of its kind ever published in the annals of Glasgow, and we hope we will be excused for publishing it in this place, since it calls forth many old recollections with mingled feelings of emotion, and traces out the names of dear departed friends in all their first flush of joyous political gratulations:—

*Glasgow, 5th March, 1831.*

To Matthew Fleming, Esq.,  
Acting Chief Magistrate of Glasgow.

SIR,—We request that you will call a meeting of the merchants, bankers, manufacturers, traders, and inhabitants of this city, to address His Majesty, approving of the plan of Parliamentary Reform proposed by His Majesty's Ministers; and to petition both Houses of Parliament to carry the same into effect.

We have the honour to be, Sir,

Your most obedient servants,

We had intended to have published the entire list of the requisitionists, and had it actually set up in type, but our publisher thinks it is too long, and therefore we withdraw it.

In compliance with the above requisition, I hereby request a meeting of the merchants, bankers, manufacturers, trades, and inhabitants of this city, to be held on Saturday next, at 12 o'clock noon, in the Justiciary Court Hall.

MATTHEW FLEMING,  
Acting Chief Magistrate.

Glasgow, 7th March, 1831.

Alas ! we are here left to record the fact that out of the 193 names which that requisition bore, there are only 22 of them alive at the period we are writing this chapter, in the month of April, 1866.

The meeting thus called in the old Justiciary Hall was filled to overflowing. Mr. Matthew Fleming, the Acting Chief Magistrate in the absence (in London) of the Lord Provost—Robert Dalglish, Esq.—was unanimously called to the chair. Spirited speeches in favour of the Reform Bill were made on the occasion by old Mr. Robt. Grahame, afterwards Provost ; Professor Milne, who had been persecuted for his principles in the year 1815 (as we have shown in a previous chapter, page 458) ; Mr. Jas. Oswald of Shieldhall, afterwards M.P. for this city ; Mr. Colin Dunlop, afterwards M.P. for the city ; Mr. Jas. Lumsden, afterwards Lord Provost, and others ; but the most elegant and captivating speech on the occasion was that of Sir D. K. Sandford, the then young talented Professor of Greek in the University. This was his first public appearance in Glasgow on the arena of politics, and it had the effect of making him exceedingly popular for a long time with the citizens. At the public meetings about that period, Sandford unquestionably was the favourite orator. He afterwards became M.P. for Paisley—broke down in the House of Commons—died under sad circumstances, in the prime of life, at Rothesay, where his remains repose in the beautiful and romantic church-yard of that place. We often had much personal intercourse with Sir D. K. Sandford. We fought for him many days and nights at Paisley, in the keen contest he there had with Mr. John Crawford of London, who had attempted the representation of Glasgow. We had as our right hand man from Glasgow, the late Matthew M. Pattison,

Esq., who was perfectly delirious for his friend Sandford. He canvassed for him at Paisley with the most indomitable zeal as if his own existence depended on the result. On the first day of the poll—there were *two* days of it at that time—the candidates were almost neck and neck, but Sandford had a small majority. On the second day of the poll, viz., Friday, 21st March, 1834, we had the felicity of reading out in Sir Daniel's crowded Committee Rooms the result at its close. Mr. James Drummond of Glasgow, who was also there, checked and confirmed it as follows:—

For Sandford,	.	.	.	.	.	542
For Crawford,	.	.	.	.	.	500

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Therefore Sandford became the victor by  
a majority of . . . . . 42

We confess we wrote some queer squibs on that occasion, which took well. Our efforts for Sandford were pure, spontaneous; and genuine, without the most distant prospect of “fee or reward.” These hands are clean. For no man dare to say with the least shadow of truth, that in all the political contests we ever engaged in, for more than thirty years back, we never pocketed one farthing; but on the contrary, squandered much of our limited means for the success of others, and to a degree which if summed up might appear incredible now.

Reverting for a moment to that election at Paisley, we almost smile in our sleeves to make the following rather laughable imputation against ourselves. One of our great aims has ever been to keep the good people in humour. Some have taken us to be *demons*, and we have been likened to the Devil himself—but that is a mistake. No person in the wide world could be more de-

sirous of seeing justice done between man and man than the author of these sketches. We have sometimes been playful and sometimes severe, and an instance of the previous quality, viz., *playfulness*, comes up our backs at the present moment.

On the afternoon of the first day of polling at Paisley, Mr. Crawford's Committee Rooms, we saw, were besieged for some *refreshments* for the thirsty throng outside. We ticketed the following lines, which turned the laughter much against Crawford, but not in any way against Sandford—(A free table opposite)—

“Come up ye *sowls*, and taste the toddy ;  
Why linger there ? Come in a body!”

When they went up, they got nothing, and therefore they rubbed their disappointed Paisley “Nebs” against the London candidate ! This reminds us of the story of the fine Paisley damsel when applying for a seat at Wm. Lyon’s coach office in the Trongate of Glasgow, in his coach to Paisley, who put this unsophisticated question to Willie Morrison, his clerk, who is still alive, and one of the best and most respectable hatters in all Glasgow—“Dear sir, are a’ *your insides out?*”—meaning whether all the inside seats of the coach were taken ;—and in another minute or two afterwards a decent Paisley wabster entered that very office and says to the clerk aforesaid, “Will ye see, young man, *gif* my wife *has an inside?*” In a steam-boat one day at the Broomielaw, we heard another “Seestu” from Paisley, bound for Paisley *via* Renfrew, addressing the captain—“*Freen* (friend), will ye be shure and hoist your *clout* (flag) and stop your *biz* (steam), and let me out at the water neb at Arentroo (meaning Renfrew) ?”

While canvassing in Paisley, we heard this question put—"I say, Jock Tamson, can ye tell me the road to Gordon's loan in *Prussia Street*?"

But it is time we should resume our narrative in Glasgow, at the point we left off with these straggling paragraphs.

The enthusiastic and unanimous resolutions of that first meeting for Reform in Glasgow, were duly engrafted in petitions to both Houses of Parliament in favour of the Bill. But in addition to these, an address to the King was unanimously resolved on, which we here give from the original draft of it in our possession :—

TO THE KING'S MOST EXCELLENT MAJESTY.

WE, your Majesty's loyal and dutiful subjects, the merchants, bankers, manufacturers, trades, and inhabitants of Glasgow, approach your Majesty to express the attachment which this city, in common with every part of the empire, entertains for your Majesty's Royal Person and Family, our sentiments of gratitude for your gracious consideration of the good of the people, our entire confidence in your Majesty's present Ministers, and our conviction that the measure they have proposed for reforming the representation of the people in the Commons House of Parliament is calculated to restore that part of our constitution which time and an oligarchical faction had well nigh destroyed, and that on the early and complete success of that measure, depend the stability of the Throne, the permanence of the aristocracy, and the constitutional liberty, the prosperity, and the happiness of the people; and to beseech your Majesty, in this momentous crisis, to use every constitutional means for securing the adoption of the measure, as one on which the salvation of the country depends; and we pray that your Majesty may long and happily reign over a free, loyal, and happy nation.

(Signed)

MATTHEW FLEMING,  
Acting Chief Magistrate of Glasgow, and  
Chairman of the Meeting.

That address to the King was subscribed in a few hours

by nearly 30,000 inhabitants, so eager and enthusiastic were they about it ; and, agreeable to arrangement, it was sent to the then *new* Lord Advocate of Scotland—Francis Jeffrey, who presented it to the King, at His Majesty's next Levee in St. James' Palace. We had it from the best authority, viz. the Lord Advocate himself, that His Majesty was mightily surprised at the bulk of this address from Glasgow, but he read every word of the address itself, and gave it the most gracious reception. That circumstance helped—it rather induced us at that stage of our political career—to assume the name and character of *Loyal Reformer* !

We may be excused for giving a little bit of tit-tat at that time. The *Press* in Glasgow on the liberal side was very timid ; it was, if we may so compare it, like milk and water, or gruel with a little sugar ; it wanted the real *stingo*—the spice and pepper necessary to create some little sensation in the outward and the inner man ; and so we are not ashamed to mention, as we now do, for the first time in print, that, young as we then were, we had some time previously associated ourselves with Mr. Sheridan Knowles and his father, with W. S. Northhouse, A. Paterson, J. H. Maxwell, John M'Callum, Alex. Ure, Dr. Wm Young, Andrew Henderson, and other choice spirits, now no more, in the establishment of the *Glasgow Free Press*—a paper which originally created immense sensation in Glasgow, for it struck out into a new path never opened up in Glasgow before, and, therefore, it got into very excellent and extensive circulation. In that paper, on the introduction of the Reform Bill, we wrote many articles, under the signature of “A Ten Pounder,” which took well, for we heard them discussed in quarters where no one fancied for a moment we were the author of them ; but the

best writings on the subject which appeared in Glasgow were from the pen of Mr. Thomas Davidson, jun., now one of the Registrars of the City, who wrote under the signature of "Lucius Verus." The elegance of his composition was not more applauded than the power of his satire and just discrimination. Our own effusions, when they became known, were thus characterised by an eminent Edinburgh critic—"He cuts like a kitchen knife, rough but deep." Mr. Northhouse, who edited the *Free Press*, went to London to fill a better situation there; and the shares and copyright were bought up by Mr. Wm. Bennett, who finished it in the long run by *rattling* to the other side of politics; it assumed the name of the *Constitutional*, and with it we ceased to hold any connection. But somehow the itch for writing—and political writing—in these exciting times was gaining upon us; and so we commenced with writing and publishing weekly—every Saturday morning—the old publication well-known for many a day in Glasgow by the title of the *Loyal Reformers' Gazette*—a title we have never once felt it necessary to be ashamed of. We were entirely the master of that affair ourselves. Our whole heart and soul were devoted to it from Monday morning till Saturday evening, for many years; yet if we had to do the same work over again, we confess we are not sure but we would make many corrections and some interlineations upon it. Other periodicals sprung up to thwart it—such as the *Pilot*, the *Brougham*, and the *Day*—but we saw them all out; and we record this fact with some pride, and without the fear of contradiction, that the old (little) *Loyal Reformers' Gazette* kept its ground in Glasgow for a much longer period by far than any similar publication ever did in this city.

Talk of circulation, as some have lately done! why,

long years ago, during these Reform harrangues—when the city was not nearly so large as it is now—we have seen it reach to 20,000 copies on a Saturday evening ; and the pressmen could print no more from the blisters on their hands, such was the eager desire to obtain it—not for a penny, but for twopence each small number. It is now, we believe, out of print ; and we have only one single copy left to refresh our own memory ; but within the last few years Messrs. Hutchison & Dixon, the auctioneers—in a sale of books which they had—set up a complete copy of the *Loyal Gazette*, in six small volumes neatly bound ; and the competition was so great to obtain it, that it realised upwards of 200 per cent. beyond the original cost. It may be egotism for us to mention this, and some may feel chagrined at hearing it told ; but an old faithful servant of the public in momentous times, will not allow it to be tamely alleged, while he is alive, that a prophet hath *no honour in his own country*.

We have spirit enough here also to add—not to our own disparagement, certainly—that at a subsequent most thrilling period in the history of Glasgow, we stood single-handed and alone the brunt of a prosecution directed against us in the name of the Reform Government ! to which they were hounded on by some of their Tory understrappers in Scotland whom they had continued in office ; the head and front of our offence being that we were simply advocating, with all the energy in our power, the very principles of that Government itself ! and what is worse, afterwards, and without a moment's warning, we were seized by Mr. Alex. Turner, Messenger-at-Arms in Glasgow, and were thrown—with our printers, Muir and Gowans—into the Jail of Glasgow, on a writ ostensibly at the instance of Francis Jeffrey, Lord Advocate, seeking penalties against us,

under the Six Gagging Acts of Sidmouth and Castlereagh, to the extent of £45,000. "It is as well," thy say in the Highlands, "to be hanged for a sheep as a lamb." We were kept prisoners for fourteen days ; but the lines of the poet consoled us, which we have often quoted applicable to other people—

" Stone walls do not a prison make,  
Nor iron bars a cage,  
Minds innocent and quiet take  
That for an hermitage."

The severe, unmerited, and as some said, the cruel and inexplicable treatment of the Reform Government to one of their own humble but most ardent admirers, did not make us forsake or abandon our own principles for a moment. We stood true to them, notwithstanding many aggravations.

" True as the dial to the sun,  
Altho' it be not shone upon."

And therefore, getting pen, ink, and paper in the jail of Glasgow, we addressed in calm, indignant, but respectful terms, the noble Premier himself, viz., the Right Hon. Earl Grey; Lord Althorp, his Chancellor of the Exchequer; Francis Jeffrey, the Lord-Advocate ; and we also despatched by the same post an indignant remonstrance to our faithful friend, Joseph Hume, Esq., M.P., with whom we were almost in daily correspondence at that period. Some of his effusions frequently adorned our own pages, and we have hundreds of his letters still extant through all the progress of the Reform Bill. We committed our case to his hands, to attack the Government, if he thought fit, about it in the House of Commons. He did much more effective service for us than that. He instantly made com-

mon cause with us, and drove to the Treasury Chambers about it ; and we have every reason to believe that at a meeting of his Majesty's ministers, orders were sent down to Scotland instantly to liberate us. We had the honour to receive the most handsome letters from Earl Grey, Lord Althorp, and the Lord-Advocate. The latter actually *repudiated* the proceedings adopted against us in his name, at least he declared he had no knowledge of them till we addressed him ; and the Tory official who put these proceedings into operation against us was speedily relieved or dismissed from his office. This was a great triumph to us over some of our inveterate foes at the time. Perhaps we will publish the whole correspondence, and say a few words about it ere we finally come to dispose of Mr. Richmond, the spy.

Therefore we go on to narrate that besides the resolutions at that first great Reform meeting in Glasgow, the Lord Provost, Magistrates, and Council of the city, as if startled from their old Burghmongering dreams, actually met and petitioned in favour of the Bill. To his great honour, Robert Dalglish, Esq., Lord Provost, fairly aroused them to a proper sense of their duty. The Merchants' House of Glasgow, then headed by James Ewing, Esq., Lord Dean of Guild—and which was supposed to be a close Corporation up to that date—threw open its doors, and publicly testified in favour of the Bill. The Faculty of Procurators caught the example. In short, every Incorporated trade in the city, without exception, petitioned in favour of the Bill. Scarcely a cheep was heard against it ; or if heard, it was instantly drowned by a general shout. Terror, no doubt, seized the minds of some timid Anti-Reformers, and others were afraid to let their sentiments be really known. But the cry for Reform every-

where predominated ;—the heart of the nation, in fact, was intently set upon it.

It must not be supposed that politics destroyed poetry in these times. The one rather aided the other. There is, in truth, a living affinity between them, and the following verses may be excused here, which we published amongst the war of words and the shocks of alarm in the year 1832 :—

“ O'er the wine-cover'd hills and gay regions of France  
    See the day-star of Liberty rise !  
Thro' the clouds of detraction unwearied advance,  
    And hold its new course through the skies.  
  
An effulgence so mild, with a lustre so bright,  
    All Europe with wonder surveys,  
And from deserts of darkness and dungeons of night  
    Contends for a share of the blaze.  
  
Shall frenzy and sophistry hope to prevail  
    Where reason opposes her weight ?  
When the welfare of millions is hung in the scale,  
    And the balance yet trembles with fate ?  
  
Ah ! who, 'midst the horrors of night would abide,  
    That can taste the pure breezes of morn ?  
Or who that has drank of the crystalline tide  
    To the feculent flood would return ?  
  
When the bosom of beauty the throbbing heart meets,  
    Ah ! who can the transport decline ?  
Or who that has tasted of Liberty's sweets,  
    The prize, with but life, would resign ?  
  
O catch its high import, ye winds as ye blow !  
    O bear it ye waves, as ye roll !  
From regions that feel the Sun's vertical glow  
    To the farthest extremes of the Pole !  
  
Equal rights, equal laws, to the Nations around ;  
    Peace and Friendship its precepts impart !  
And wherever the footsteps of man shall be found  
    May he bind the decree on his heart ! ”

The second reading of that memorable Bill, which was to decide the fate of it in the House of Commons was fixed by Lord John Russell, to take place on Monday the 21st of March, 1831. At four o'clock in the morning the house divided. Including the speaker and four tellers there were 608 members present, being the largest number up to that period that had ever divided in an assembled House of Commons.

On the division the numbers were declared to be—

For the Bill,	.	.	.	.	.	.	302
Against it,	.	.	.	.	.	.	301

Majority for the second reading, . ONE.

The greatest excitement was raised in Glasgow to ascertain the result. On Thursday afternoon the Tron-gate was crowded to excess, waiting the arrival of the London Mail, to bring the news. The Mail arrived, but brought no such news. The guard only reported that the House was going on with the debate when the Mail left London. The crowd therefore separated in silent conjectures, only to become intensely greater on the following day, when the decisive news would surely arrive by that Mail. Never was Glasgow in a greater state of excitement, watching the arrival of any Mail. Some idea of it may be gleaned from the fact that Sir Daniel K. Sandford, with other gentlemen of the city, had actually ridden out to Bothwell and Hamilton, where fresh blood horses were awaiting them, to anticipate the Mail on Friday, and they came galloping to the Cross of Glasgow fully twenty minutes before the Mail itself, with its spanking tray; and, waving their hats, and streaming all over with perspiration, they shouted out to the assembled mass, "The Bill is carried by the glorious majority of ONE!"

What a shout that raised in the city of Glasgow !

“ While all along the crowded way  
Was jubilee and loud huzza.”

The congregated subscribers of the old Tontine Coffee-Room pealed forth their cheers as the guard of the Mail Coach, with his galloping team of horses, pulled up, waving his flag in testimony of the result. And when the London papers of Tuesday evening were opened up and read aloud—on the elevated seat secured for the purpose by the very individual who is still spared to write these Reminiscences—another and another peal of cheering resounded through that crowded room, the first and the best of its kind in that quarter of the city ;—and within an hour afterwards, we gladly wrote, to the dictation of Sir D. K. Sandford, the following requisition, well worthy, we hope, of seeing the light now :—

TO THE HONOURABLE ROBERT DALGLISH, LORD PROVOST.

Tontine Coffee Room, 4 $\frac{1}{2}$  P.M.,  
Friday, March 25, 1831.

My Lord Provost,

We, the undersigned, participating in those feelings of high satisfaction which doubtless now animate your Lordship and brother Magistrates, that the Bill has been read a second time in the House of Commons, for the success of which your Lordship and Council petitioned, beg most respectfully to suggest that orders should be given for a public illumination, and that a joyful peal may be rung by the city bells, to celebrate a division which, by the very same majority which placed William the Third on the Throne, has given William the Fourth another claim to the gratitude of his people.

(Signed)

D. K. Sandford.	Robert Hutcheson.
James Oswald.	George Stirling.
James Mylne.	Alex. Dennistoun.
Charles Tennant.	Alex. Graham.
Robert Grahame.	Walter Buchanan.

James Lumsden.	John Fleming.
Thos. Atkinson, jun.	John Strang.
James Hutcheson.	Thomas Davidson.
George Crawfurd.	Andrew Mitchell.
David Bell.	H. E. Crum.
Alex. Johnston.	Peter Mackenzie.
Andrew Bannatyne.	Alex. Denny.
William Mills.	Stuart Bell.
Robert Thomson, jun.	William Watson.
John Douglas.	John Kerr.
J. B. Gray.	David Robertson.
William Craig.	W. B. Cabel.
Allan Fullarton.	Peter Ferrie.

It is somewhat sad to notice that of the thirty-six well-known Reformers whose names were attached most cordially to that requisition, only *five* of them now remain in the land of living men !

Old Provost Dalglish received the deputation who waited on him with that requisition in the blandest manner, in his new elegant self-contained house, which stood by itself on the south side of St. Vincent Place. There, and to the westward thereof, the merchant princes of Glasgow were beginning to erect or complete their spacious dwelling houses, which are now being converted into shops and counting-houses; and, singular to say, the very mansion-house of Provost Dalglish, in which many sumptuous entertainments took place, now partly forms the *counting-house* or business warehouse of his own son, the popular M.P. of this city !

Provost Dalglish responded to the requisition at once. The city bells soon began that same afternoon (Friday) to ring out their joyous peals—if there be any joy at all in their composition, which we sometimes doubt ; they are rather sonorous, we think, and are not so lively on some occasions as they should be. But the Provost, after con-

sulting with his colleagues in the Magistracy, cordially sanctioned the Illumination to take place on the Monday evening immediately following, viz., the 28th of March, 1831, between the hours of eight and ten.

What a change so rapidly in Glasgow, between the dismal scenes of 1819-20, and the now joyous ones of 1830 and 1831! Well did one of our young friends write—

“ See Glasgow under Earl Grey,  
Frae Glasgow under Castlereagh—  
Ha! ha! the differ o’t.”

When one spared in good health (which, thanks be to God, we have always possessed)—when one with his memory fresh and entire, looks back to some of those scenes, and especially now to that one in the year 1831, which we are coming to describe, it is almost refreshing and invigorating to conjure before the mind’s eye some of the interesting, jolly, and merry transparencies that were exhibited in our Glasgow windows on that remarkable occasion. Yet others of them are now faded and gone forever. The Trongate and Argyle Street still remain to tell somewhat of their glories, but other haunts of the city are away. Thus, on the memorable Saturday before the illumination, when it became publicly known that the Lord Provost and Magistrates had officially sanctioned the illumination to take place positively on Monday evening, every lady and gentleman, man, woman, and child, embued with ardour for “ the Bill, the whole Bill, and nothing but the Bill,” such was the continued mode of describing it,—though some of course did not comprehend its meaning at all,—sallied forth from their houses in quest of the candlemakers’ shops, to secure the necessary supplies of “ candle doups” to light up their windows. Never

were shops so besieged as were those, for instance, of the Messrs. Barclay in Glassford Street, Liddle & Co. and William Brown & Co. in Trongate, David MacMillan in Argyle Street, John M'Nee and Lewis M'Lellan in the Gallowgate. All the tallow chandlers in the city and suburbs were completely exhausted with their stock. Every candle that could be had for love or money was bought up—from the farthing rush-light to the purer wax—from the small *saxes* to the big *twals* in the pound. Everything, in short, that could make a nice flourish of light in the windows was eagerly bought up at enhanced prices ; and the great *Gas* establishment itself, then gradually coming into operation, was completely exhausted by extra orders for “jetts and jettees”—so they were called. The oil and colour men made a good rich job by that illumination; and every tin-maker in the city had his extra pay for cutting out his wreaths of “candle sockets.” The wrights and painters could not overtake one-half of the devices or transparencies with which they were commissioned. We give the following quaint advertisement as a specimen we have preserved from amongst the number :—

#### NOTICE.

“John Wilson & Son, wire workers, No. 80 Trongate, beg leave to intimate to the *loyal* lieges, that in the anticipation of the Patriotic King and his noble Ministers, being successful in their glorious measure of REFORM, and a consequent general illumination, they have prepared a large quantity of illumination candlesticks, with which the public can be supplied on the most reasonable terms.

“ GOD SAVE THE KING.”

Messrs. Wilson’s shop was completely besieged with orders early on Monday forenoon. It was thoroughly cleared out of every candlestick it possessed, long, too,

before shades of evening approached ; and instead of paying one shilling per twelve candles, they arose in this and other places to at least 100 per cent. in value. There never was such an animating display of delightful feeling throughout the city.

Please notice what the *canny Chronicle* said about it at that time. The *Herald* and the *Courier* hung fire. They were rather against the Reform Bill—saw “ no necessity for it whatever ”—and in fact denounced it as a revolutionary movement, dangerous to the monarchy and destructive to the constitution. But the *Chronicle* of Monday afternoon gave tongue to the following paragraph :—

“ During the whole of to-day active preparations have been going on throughout the city for giving effect to the Illumination of to-night. Flags are exhibited in all directions with various devices, and transparencies are putting up in several of the most public streets. The Lord Provost has fitted up in front of his house, a device by which the words, “ Let Glasgow Flourish,” are to be displayed by means of gas, while the back ground is to be filled with variegated lamps. The illumination is to commence at eight o’clock. Throughout the day bonfires were kindled and guns fired to demonstrate the satisfaction of the people at the overthrow of the Boroughmongers, In the Burgh of Calton and its neighbourhood 54 tri-coloured flags were before mid-day seen waving on the house tops.”

It was truly most diverting to see the mighty note of preparation going on throughout the city on that Monday, every lad and lass cleaning their windows to let their candles shine the more conspicuously ; the gasfitters eagerly fitting on their “ jettées,” the painters embellishing all the sign posts in the most conspicuous thoroughfares, the wrights taking out the sashes of windows to make way for some brilliant transparency or other, getting ready for the occasion. Have you, dear reader, seen

a ship of war manning her yards? Then take the similitude, and know that almost on every second or third house in the spacious Trongate and Argyle Street, there was a ladder, on which was perched many busy human creatures doing the agreeable for the approaching illumination.

Nor were the strong band of joyous Reformers then in the city preparing their *night's* work with empty stomachs. Every tavern of any note in the city was pre-engaged for dinner or supper parties. The then new tavern underneath the Royal Exchange—for there was a tavern originally in that splendid place, kept by Mr. Allison, who was himself the first Master of the Royal Exchange Rooms, but it ruined him by extravagance or mismanagement, and was shut up, and he went to Australia long before the gold diggings were discovered in that region, and there, we presume, he died long ago. He was a civil and obliging man, and his exit from the Exchange was much regretted by many parties. That first tavern underneath the Exchange was called the *Crown Royal Exchange Tavern*, in compliment to the Reforming King, William the Fourth, and many a capital dinner was consumed therein. On this occasion upwards of 100 gentlemen, subscribers to the Royal Exchange, agreed to dine in the vaults below at 5 o'clock, and to break up precisely at 8, to witness the first burst of the illumination—tickets half a guinea each. Mr. David Bell, the first Secretary of the Royal Exchange, was called to the chair. Mr. James Lumsden, afterwards Lord Provost, acted as croupier. It was a joyous party. The speeches were short, pithy, and effective. Sir Daniel Sandford in giving the Reform Bill three times three, and nine times nine, captivated every heart. But we must cut short these details,

and the following epitome may suffice from the memorandum before us.—Toasts—“The 302 patriotic members who voted for the second reading,” by Mr. James Lumsden ; “Lord Brougham,” by Mr. Davidson ; “Lord John Russell and the cause of Reform,” by Mr. Thomas Muir of Muirpark ; “The Right Hon. Charles Grant and the 16 Scottish members who voted for the Bill,” by Mr. George Crawfurd ; “The Lord-Advocate, Francis Jeffrey,” by Mr. Andrew MacGeorge ; “Civil and Religious Liberty all the world over,” by Mr. Henry Dunlop of Craigton ; “The trade of the Clyde, and may it soon extend to the Yellow Sea,” by Mr. John Fleming of Clairmont ; “The liberty of the press,” by Mr. William Dixon of Govanhill, &c., &c.

At eight o'clock the city bells began to ring, and that was the signal for lighting up. What thousands of hands —what thousands of hearts began to flutter at that moment! In a trice the whole city might be said to be flashing with fire. One window followed another in quick succession. Each tenement strove to eclipse its neighbour in point of splendour, and all the inmates therein, from the oldest to the youngest, so merry and happy! It was a BLAZE, we may truly say, perfectly unparalleled ; and it almost tempts us, even at this date, to make a travestie on the lines :—

“ God made the stars  
And set them in the firmament of Heaven  
To illuminate the earth and rule the night;  
Reason our Guide, what can she more reply,  
Than that the sun illuminates the sky ;  
Than that night rises from his absent ray,  
And his returning lustre kindles Day.”

Sallying forth from the Royal Exchange—see its mag-

nificent entrance brilliantly lighted up with the figures of Britannia and the city arms, with the emphatic word "Reform" flourishing in the centre. There was then, we may remark, no statue of the Duke of Wellington in that place, and none, indeed, could there be thought of, because, as we have already stated, the Duke had protested against all Reform--had demolished his own cabinet in consequence, and had actually to barricade his own windows at Apsley House, from the supposed fury of the London mob. On the streets of Glasgow that night his effigy was actually burned, and a figure representing the Duke was seized at the Cross by the police, and taken prisoner to the Police Office, which gave rise to many ludicrous and offensive statements, which we pass over, heartily rejoicing at this moment that we can look with the greatest delight on the noble statue of the illustrious Duke in front of the Royal Exchange, which, we trust, will remain as one of the proud trophies of the city for centuries to come.

Turn, please, with us, gentle reader, for a moment longer to Provost Dalglish's house in St. Vincent Place, already referred to. He had no fewer than 3000 gas jettees in front of his house, with the words sparkling out amongst them in the centre, "Let Glasgow Flourish," and these words reflected in gold and silver wreaths behind, had a most magnificent effect. Surmounting the whole were the splendid figures of Trade, Commerce, and Manufacture, hailing Reform; and in every view, Lord Provost Dalglish bore away the palm, or greatly excelled all the other citizens, as, indeed, the Lord Provost of Glasgow should ever do on great public occasions.

Next to Provost Dalglish, we should say that the house of Mr. James Lumsden in Queen Street, displayed

the most gorgeous transparencies. In each of his ten or twelve windows to the front he had the King admirably painted in his robes as an Admiral, with Earl Grey, Lord Brougham, Lord John Russell, and the Lord-Advocate in their official costumes, and over the whole the sparkling gas emitted the words which delighted many, "Success to the Russell Purge." The house of Mr. John Pattison in Blythswood Square, was conspicuous over all in that direction. It had the Imperial Crown, and figure of Fame blowing from the trumpet the following words—

"After wandering forty years,  
Mid persecution, taunts, and jeers,  
The promised land at length appears  
To bless our weary eyes."

We quote these lines now all the more willingly, with this explanation, that Mr. Pattison's ancestors in this city were absolutely persecuted for entertaining Liberal or Reform sentiments in the previous century. Mr. William Craig's house in Montague Place, shone with splendour. He was then coming out as Treasurer of the Reform Association. Old Mr. Charles Tennant's then new magnificent house in West George Street, had splendid paintings from its front windows, representing the King, the Cabinet, and the People, with the words, "Hail glorious Reform!" Mr. James Hutcheson's was also magnificent. In fact, every gentleman's house, if the head of it was a Reformer at all—and they were then becoming uncommonly numerous in Glasgow—had some favourite fanciful transparency or other. There was one, however, in Ingram Street and another in Argyle Street, and another in Portland Street, Laurieston, which greatly amazed and tickled the younger parties of the population, and set even some

of the oldest ones into loud fits of laughter. They represented the King scourging the Boroughmongers with his whip, another with his besom or broomstick, another as representing the Boroughmongers crouching and gasping, and mice and rats running at the foot of their garments, which, by some ingenious contrivance or other were actually believed to be living cormorants, they jumped about so dexterously on the canvas.

It was a great night that for Glasgow. The grand points for viewing the illumination was from the top of the Fir Park, now the Necropolis, or from the centre of the Jamaica and Stockwell Bridges. Standing on either of these bridges, and they were crowded, the sight embracing the flags of the numerous ships at the Broomielaw, was truly magnificent. Looking also from the one end of Argyle Street to the other, onwards especially to the Cross, nothing could surpass it in the wide world. The countless devices and varied flags from the windows, as if enchanted for the first time by the brilliant captivating gas, were disclosing or revealing their grandeur to the admiring throng, while the bands of music perambulating the streets, the loud huzzah at some favourite spot, the delighted and delightful countenances of the vast multitude, consisting of thousands and tens of thousands, all dressed in their best attire, including, of course, the joyous lads and lasses, the sweethearts and wives, the lovely and the betrothed, the sighing swain and the blooming virgin, arm in arm, whispering of their affections and talking of their true opinions. Yet, alas! the most of that great throng are already swept away down the rapid stream of Time, landing, we hope, in that other and better city beyond the skies, where, we are assured, there are grander illuminations, never to fade; still leav-

ing to their children or their descendants here below the opportunity of knowing or remembering those things, or here innocently commenting on them as memorials of a past history. Those yet alive amongst us who participated in them, or witnessed them, in other than the places we have indicated, will best appreciate them, with no acrimony and no bitter alloy, we hope. Our own inclinations rather desire it to be made a pleasing one conscious though we are of our inability to do so. Our pen, indeed, utterly fails us to perform the task in many ways, as our heart would fain prompt us to do. But even an old lamp lighted up, flickering and long used, is not altogether to be despised, even by strangers, if it discloses the patriotic fire which on a great occasion once animated the citizens of Glasgow!

CHAPTER XXII.

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**A SQUIB, AND THE RETORT-COURTEOUS, ON THE FIRST REFORM BILL.**

PENDING the first great Reform Bill, and after these illuminations in Glasgow, noticed in the preceding chapter, Mr. Samuel Hunter of the *Herald*, who hated the said Bill, and disliked the illumination, published the following *jeu d' esprit* in his paper, which he said might be regarded as expressing pretty correctly the sentiments of all “right thinking men,” throughout the country:—

“ We thankful feel the sun and moon are placed so very high,  
That no presuming hand can reach to pluck them from the sky,  
If 'twere not so, we cannot doubt but some Reforming ass  
Would soon propose to snuff them out and light the world with gas.”

We answered him by the following lines:—

“ Because that ‘heaven-born minister,’ war-loving William Pitt,  
Would fain have taxed the sun itself, could he have come at it;  
Would fain have made the moon and stars yield tribute to the plan  
Which wasted with unsparing hand the wealth and blood of man.  
But as he could not reach the skies to post collectors there,  
The wily statesman worked his schemes upon this nether sphere,  
With impious cunning, seeing how man loved the light of Heaven,  
He taxed our windows, and sold dear, what God had freely given.”

We leave our readers to judge between the two, contenting ourselves in the meanwhile with stating that we have a great many racy rigmarole scraps which we may intersperse by and bye, if health continues and opportunity offers.

## CHAPTER XXIII.

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### THE PROGRESS OF THE GREAT REFORM BILL IN THE OLDEN TIME.

WE must not occupy the attention of our readers over much with the progress and ultimate success of the old Reform Bill. Yet there are some other points about it connected with Glasgow which may perhaps be deemed worthy of notice.

Brilliant illuminations, doubtless, took place about it all over the three kingdoms. No such illuminations are seen anywhere now. The reason is obvious. That first Reform Bill was a joyous festival over dark, crooked, mischievous, and bloody transactions, repugnant as well as disgraceful to the proper principles of the British constitution. Dreaded only by the oligarchy and a narrow minded few, who were frightened by their own shadows, it was hailed almost with universal satisfaction by the great body of the nation. It virtually became the *pioneer* to millions for much better and more glorious times, and the success of it has crowned this realm with peace and prosperity to a degree unexampled in any period of history which preceded it. The clearest and greatest proof of this may be found in the fact that whereas the

Revenue of Great Britain in the year 1832 stood at fifty-nine millions per annum sterling ; it has at the period we write (1866) reached the vast figure of seventy millions sterling. Perhaps these circumstances may be regarded as *illumination* figures themselves, and require no hostile flame to light them up. We are all smiling now with something like contentment, and at the proposed equitable distribution of seats by Mr. Gladstone, the Chancellor of the Exchequer, and Her Majesty's Ministers in this new Parliament ; and yet while we willingly dispense with all further *illuminations* on that head as perfectly unnecessary or superfluous, we cannot adopt the sentiment, much as we are thankful about it at other times, of "*Rest and be thankful.*" The world is always progressing ; and the telegraphic wires, not known or practised in 1831, may bring us yet some additional blessings from Heaven itself. Who knows what is in the womb of the Eternal for the children of this earth ? Did our grandmothers think of steamboats ? Did our fathers think of railways ? Did our uncles or our aunts think of those electric wires ? changing things, as the Bible itself says, almost "in the twinkling of an eye." And let us further bear in mind that Mr. Robert Stephenson, not a madman, but one of the greatest engineers of modern times, deliberately stated to a Committee of the House of Commons, that with plenty of money he could probably send a railway engine to the moon !

Although the second reading of the old Bill was carried as we have already stated by a majority of ONE, on the 23rd March, 1831, the effect of this was only to send it to a Committee of the whole House, where its schedules and its clauses were discussed for weeks and months together, and many capricious and singular votes were come to

about them, which we need not refer to more particularly. The country then alive to the measure, was, however, getting disgusted with the delay, and in answer to a strong remonstrance addressed to him from Glasgow, the Lord-Advocate Francis Jeffrey, wrote us from London on 1st September, 1831, as follows:—

“ We are all out of humour with those who so unreasonably protract the discussions on our Bills ; but nothing can be so unreasonable as to extend this feeling to the Ministers who have a more immediate, and perhaps a deeper interest in getting this great measure brought to a close than any other individuals in the nation. In addition to the preservation of peace and good government, they have the peculiar interest attached to their own fame and character, and the awful responsibility they have undertaken, out of which it is plain they have but one path of deliverance ”

We published that letter at the time we had the honour to receive it, and it had a most excellent effect in keeping up the spirits of the Reformers of Glasgow.

The coronation of King William the Fourth and his Queen Adelaide, was fixed to take place at Westminster on the 8th of that month, and as the King was vastly popular for standing true, as all thought, to the Reform Bill, and to his Reforming Ministers, a magnificent procession of all the trades in the city of Glasgow, without exception, took place that day, and walked with their countless emblems, flags, and banners, through the principal streets and the Green of Glasgow, where, with one heart and voice, they set up their shouts for Reform—the Bill, the whole Bill, and nothing but the Bill. The day was remarkably fine. It was computed that there were at least 150,000 human beings congregated in that procession when it reached the Green of Glasgow. Certainly it was one of the most splendid and imposing assemblages

ever witnessed in this city, saving always the assemblage when Her Majesty Queen Victoria visited our city years afterwards, as to which we have something *fresh* yet to tell ; but the Reform procession we are referring to was a vivid demonstration, with the greatest aim in view, touching the very foundation of the State itself, for if the Reform Bill had not passed, we could have answered for it with our heads, that there would have been a sure and certain *Revolution* in this country. It was the King himself that ultimately saved it by his conceding the Royal Assent to it ; although there can be little doubt, from the evidence of Lord Brougham, who, as Lord Chancellor, was the keeper of His Majesty's conscience, that His Majesty rather hesitated and vacillated at one important juncture, and Earl Grey resigned. At the splendid banquet given to that most virtuous and patriotic nobleman sometime afterwards in the capital of Scotland, viz., 15th Sept., 1834, which was attended by upwards of 2000 of the elite of this land, he uttered the words which thrilled his audience beyond all other words on that occasion—"I am not, thank God, a *fallen* Minister." And neither he was, nor in the estimation of posterity ever will be.

It is no exaggeration for us to say, for we heard it vouched by Mr. John Graham, then at the head of the Police in Glasgow—he was called the "City Marshal Graham," and a polite clever old fellow he was—fond of snuff, punch, and music ; and although we all knew that he was a pretty decided Tory of the olden school, yet he mounted his horse on this occasion, headed the vast procession, and became perfectly delighted with the whole proceedings ; the more so as we heard him declare, with considerable animation and obvious pleasure, that not a

single accident of any kind had occurred with that great throng ;—aye, and he exclaimed, “We, the Police, have had a real holiday of it, for there is not a *muff* or a *keely* in the office—not even one stolen handkerchief out of so many thousand pockets.” He did the agreeable in most approved good humour, and he became a great favourite in Glasgow, even amongst the class he was obliged to prosecute. Some may remember his brother, the Rev. Matthew Graham, minister of Calton, who tried his hand in one of the *lotteries* so prevalent in London in the reign of George the Third, and he pulled up a prize of £1500, with which he erected what was called “Graham’s Buildings,” in George Street. These lotteries were extirpated in William’s reign.

We should not omit to mention, that on that evening of the grand Coronation Procession in Glasgow, the Magistrates dined together, and contributed to a splendid display of fire-works on the Green—with blue and red flames, sky rockets and other things—which reflected most amazingly on the dense mass of upturned human faces “glowering at them”—not less than eighty or ninety thousand people—and every one from the oldest to the youngest seemingly more delighted than another. Not so much as a black eye or a broken head was visible in Glasgow that day or that night. So much for the credit of Glasgow at that time, and the eclat of the King’s coronation.

When we went home in the evening—drinking, of course, to the King’s health and success to the Reform Bill, for we have never been teetotallers exactly at any period of our lives—we jotted down a few memorandums about some of the inscriptions on the flags or banners waving through Glasgow, which, we confess, tickled our

fancy at the time. Will our readers be pleased here to allow us to give a very few specimens of them out of the huge number, as follows ? For example—taking them as we do in the exact order of their arrangement walking through Glasgow—there were first

*The Carters of the City.*—Yes, the carters first in order, clearing the streets, and leading the advancing legions. The carters, we say, mounted gaily on their various horses, three deep, with their ears and tails flaunting with silken ribbons ; some of the horses were actually fine grey horses, with this flag preceding them, “We are Earl Grey’s Glasgow Squadron;” “A merciful man is merciful to his beast;” “Reform for ever.”

*Goldsmiths and Watchmakers.*—With their splendid silk flags—crimson ground. The Union Jack—blue with white ground. The Scottish Thistle. “God save the King.” One of the watchmakers actually displayed the Silver Medal worn by the President of the Glasgow Parliamentary and Burgh Reform Society of the year 1792, besides a great variety of interesting solid gold and silver plate, the like of which never paraded the streets of Glasgow.

*The Brush Makers.*—They had something like a live pig—bristles and all—supported by two spears, emblematical of their calling ; with some choice flags, one of them, “Our King is a true British Sailor.”

*The Brewers.*—Bearing Messrs. Tennent and Baird’s coat-of-arms, with barrels and vats in great variety ; “Our Hops are good, and the barm is working,” &c.

*The Iron Moulders.*—The Hammermen coat-of-arms, with many magnificent flags of the olden time—one of them said to have been at Bothwell Brig.

*The Glass Makers.*—Various emblems of beautiful workmanship. One of their numerous flags, “It’s a good bargain you can see through;” “Hail for the Bill ! ”

*Shipwrights.*—Figure of the State ship “Constitution,” under repair—with the inscription, “Her rotten timbers must be repaired with real British oak ;” “Britannia’s walls are our safeguard;” “Huzzah, for our Sailor King ! ”

*The Coopers.*—One of their substantial devices bore this motto, “By the axe in hand we here do stand.”

*The Tailors.*—Two new Parliamentary robes, lined with ermine.

Motto—"The voice of the people is law. A stitch in time saves nine."

*The Plasterers.*—Motto on their flags—"We wish to see the auld house properly re-plastered for the comfort of the King and his Re-forming Ministers."

*The Potters.*—Various specimens of their art. Flags with this inscription:—

"What manufacture can with ours compare?  
We make our pots of what we potters are,  
And strengthen clay to stand the rudest storm,  
Passed through the needful furnace of Reform."

*Hammermen.*—Splendid flags with spirited inscriptions, one of them in gold letters—"Justice shall prevail."

*Masons.*—A model of St. Stephen's undergoing a thorough repair. The five orders of architecture carried on men's shoulders. Inscription—"Our patriot King doth wish us free, and longs to seal our Liberty."

*Warehousemen and Warpers.*—Let liberty be warped in golden wreaths around the world."

*Cork-Cutters.*—"We cut clean and bottle up the Bill."

*Cloth-Lappers.*—"Union is strength," with some amusing emblems.

*Ropemakers and Flax Dressers.*—Flags with the city arms. One of their flags displayed a portrait of the original patroness of the flax trade, viz., Queen Catherine of Russia, with her spinning wheel—a real gem.

*Framework Knitters.*—"We are few but firm. A cheap government makes a happy people."

*The Glasgow Bricklayers.*—Motto on their flags—"We join to stand firm as bricks."

*The Shoemakers.*—A real magnificent procession of King Crispin, with all his retinue. This was in some respects a most laughable affair, for KING CRISPIN in his robes of state was actually mounted on horseback—on a live horse—supported by two Dukes, and his train borne by twelve pages, preceded by his trusty champion on horseback, his standard bearers with fourteen clansmen, besides members of his Privy Council, chaplains, and what not, occupying the space from Jamaica Street to the Stockwell. This was truly a grand affair. King Crispin never appeared to greater perfection in Glasgow. The motto on one of his flags was, "The sons of Crispin ever shall be

Free," and another, " This THING hath pleased the KING and his PEOPLE."

*The Glasgow Bakers.*—" Pure bread is the staff of life, and pure representation is the staff and safety of pure government."

*The Slaters.*—" We are ready with our ladders to mount and unroof the strong battlements of corruption."

*The Cabinet and Piano-Forte Makers.*—" Let harmony prevail."

*The Dyers.*—" We live to dye, and we dye to live. Reform for ever."

*Labourers and Quarriers.*—" We stand firm as a rock to the cause of Reform."

*Glasgow Carvers and Gilders.*—Splendid gold banners, with the initials of His Majesty, and the appropriate words—

" Crammed with a peoples' blessing we may say,  
This reign is all one coronation day."

And on another of their flags—

" This lion of Scotland this emblem may be  
Of a people who meet and to will shall be free."

*Letterpress Printers.*—A real Albion Printing Machine, throwing off "The Progress of the Bill," &c. The machine was drawn by four handsome horses. It was managed by Mr. William Milne, a patriotic pressman ; and the spectacle of a real printing machine in this way on the streets of Glasgow created uncommon interest. The motto on one of the flags was appropriate enough, " This is the palladium of British Liberty."

*The Glasgow Bookbinders.*—They had many specimens of their elegant craft. One of their mottos was this—

" Binding we duly all perform,  
But are this day bound for *Reform.*"

*Engineers.*—" Set on the steam."

*Smiths.*—" We strike the iron when it is hot."

*Calico Printers.*—With many choice pieces of Bandanas—" The King that loves his people crowns himself."

*The Fleshers.*—Preceded by a large live ox, bearing on its front a board with the words " I am Reformed—the patriotic spirit roused ; all dangers scorn, and take corruption's monster by the horns." On one of their singular flags were the other words, " The Burghmongers have too long fattened on us. The King bids us now to ROAST 'EM."

We could go on to multiply these emblems from the

actual proofs before us. If anybody doubts them, we can refer of that *day* to other proofs perfectly decisive. We have, in fact, some of the emblems themselves in our possession.

It was once said by a great writer, that if he could be furnished with the *songs* of any country, he could tell the character of that country. Is it presumption for us here to remark that the random, but correct specimens we have given of these processions in Glasgow—which we challenge any one to deny—may be taken as an *index* of the real unsophisticated, but determined political state of feeling which existed in Glasgow at that memorable period, whether our pen gives it colour or no? They do not, indeed, we again assure our readers, go anything beyond the legitimate truth. We may have our own peculiar way of narrating the facts;—other pens, we have no doubt, could do it a great deal better. Gim-crack critics or crabbed pretenders may whine or sneer at us as they please, while kindlier friends, or more generous reviewers, may smile at us; but we defy any one to subvert the statements we have made.

We enter on another, but still congenial path of our writings, viz.,

#### THE GLASGOW POLITICAL UNION,

The first and foremost, certainly, of its kind that ever existed in this city. Dr. Strang has given us its “Clubs,” and his articles (especially on the Coul Club”) was to a considerable degree derived from ourselves, for we had the pleasure of acting as one of the *secretaries* during a very jovial period of its career. We beg pardon for the *plural* number here, but the fact is, that we have the roll of all the members of that remarkable Club, and

although the most of them are dead, the queer designation of some of them could excite no regret, but rather invoke *guffaws* of genuine laughter from the hearts of some of their descendants. We cannot, however, undertake everything at once. It is to be hoped that we are not altogether *idle* or imbecile writers in the estimation of the public. Whether we are instructive ones or not for bringing out some old facts and figures, is another affair, which we must leave to the decision of others. We glory in the well-being of Glasgow ; its astonishing strides since we first knew it in our boyish days have often animated us ; and, please God, we shall say nothing to detract from its lofty estate. How is it possible for us to do so ? We once heard old Harry Monteith, the Provost of Glasgow, declare, at the great banquet given to the Rev. Dr. Chalmers, in the Assembly Rooms (now the Athenæum) of Glasgow, on the eve of the departure of that illustrious man from Glasgow to St. Andrews—"That the very *dust* of the streets of Glasgow was precious in his eyes ;" and woe betide the man, we say, that would villify or tarnish the fair fame of the city of the west. Our favourite English Bard, William Cowper, wrote the words—

"England, with all thy faults, I love thee still."

And we, the humblest plebeians perhaps in all Glasgow, exultingly re-echo the sentiment—

Glasgow, with all THY faults, I love thee still !

But that Political Union in Glasgow was a dangerous experiment; *dangerous* in this respect that the originators and promoters of it,—if the Reform Bill had been *thwarted*, and the Tories again restored to power, they might have been treated pretty much as Thomas Muir and his compatriots were in the times preceding, namely, by being

transported beyond the seas. But this *union* did incalculable good to keep up the spirit of Reform in Glasgow. Its principles, we shall say, were admirable. We have an original draft of its constitution before us, containing the following words, viz., "To support, maintain, and defend, as dutiful and loyal subjects, our gracious Sovereign William the Fourth and his present liberal and enlightened Ministers in their patriotic efforts to obtain a full, fair, and free representation of the people in the Commons House of Parliament, according to the acknowledged principles of the British Constitution."

That first resolution, we may remark, was engrafted in our own hand-writing; and we pride ourselves somewhat on the fact, even at this distant day. At a public meeting of the citizens, held in the Trades' Hall, on the 16th of November, 1831, the following office-bearers were appointed, viz.—

*President*—Sir John Maxwell, Bart. of Polloc.

*Vice-Presidents*—Robert Wallace, Esq. of Kelly, M.P., and Jas. Turner, Esq., of Thrushgrove.

*Council*—Wm. Lang, Jas. Wallace, Abraham Duncan, Thomas Atkinson, junr., James Moir, James Beith, John Birkmyre, John Smith, Wm. Goold, Wm. Gardner, David Walker, John Dykes, Wm.. Bennet, James Lumsden, Wm. Hopkins, Wm. Peddie, John Watson, junr.

*Treasurer*—Benjamin Gray.

*Secretary*—Peter Mackenzie.

What thrilling meetings we, as secretary, convened in Glasgow almost every week during the progress of the Bill! The Lyceum Rooms, specially engaged for the purpose, were crowded to the doors. No fewer than 8000 or 10,000 members were enrolled, with hearts resolved and hands prepared to do their duty ; and we

hope there are many yet alive, who remember that when in the above capacity as Secretary, we mounted on the steps of the Lyceum and descended on the topics of the day, and read the correspondence, and broke out on the deeds of Richmond, the Spy, there were sensations in that place of a most unusual, but enthusiastic description. It was there, we think, that our old friend Mr. Jas. Moir learned some of his first political lessons in this city; and although we have since frequently differed from him in opinion, that is no reason why we should not cordially recognise him now as a member of that once great Political Union, which never did a reprehensible act, but rather kept up and maintained the most peaceful and laudable tone of public feeling.

We had, in that capacity as *Secretary*, a pretty extensive correspondence at that time with the most influential politicians in all quarters of the Empire—England, Scotland, and Ireland—and so arduous did the (unpaid) duties become, that we had joined with us in the office of Secretary, Mr. Alex. Hedderwick,—a shrewd and clever man he was, wearing at that time a gold chain as one of the Magistrates of *Gorbals*, which was regarded as equal to that of any of the Magistrates of the city. We shall say this to his credit without any detriment to our own, that during very many anxious days and nights at that period, we sketched out the line of duty for that political union. We would only select two out of the many hundreds of letters that came through our hands connected with it. The first is from Lord John Russell, now Earl Russell, Prime Minister, who guided the first Reform Bill through the House of Commons. It is addressed to the President of the Union, the late Sir John Maxwell, Bart., and is as follows:—

"Chevis, May 1st, 1832.

Dear Maxwell,

I owe you my best thanks for transmitting to me the vote of approbation of the Glasgow Political Union. I trust we may look forward to the successful and satisfactory settlement of this great question, in which the happiness and political freedom of the country are so deeply interested.

I remain,

Yours faithfully,

J. RUSSELL."

The other is from His Grace Alexander Duke of Hamilton and Brandon, the *grandfather* of the present Duke.

"London, April 9, 1832.

My dear Sir,

I have received the Petition from the Glasgow Political Union to present to the Lords, and I shall present it immediately. I beg you will assure your colleagues in office that I am happy to obey any commands coming from so respectable a quarter, and upon so praiseworthy a subject.

Believe me, my dear Sir,

Yours sincerely,

HAMILTON & BRANDON.

To Sir John Maxwell."

These letters show the estimation in which the Glasgow Political Union in those days was really held by some of the highest in the land. We might give others of them to fill volumes, but it is superfluous.

The Glasgow Political Union ceased to exist after the purposes of it were accomplished, viz., the triumphant passing of the old Reform Bill ; yet many a time and oft we have chatted about it, and gone over its victories with our opponents,—

"And thrice we slew the slain."

We had sometimes, we confess, very considerable difficulty

in keeping “order” in those crowded Lyceum Rooms. For our venerable friend the good easy vice-chairman, Mr. Turner of Thrushgrove, who was never absent from any of its numerous meetings, was not so *firm* in some of his resolutions as we could have wished him to be in some exciting moments. Yet a more honest or better meaning man never existed. He often set the audience in a roar by his mode of putting the question. For example, some keen debate or other arose, and Father Abraham, as he was called, (an intrepid member of the Union, and one of its best speakers) would conclude with some specific motion; whereas Tommy Atkinson, the bookseller, a better and more clever speaker still, would move some amendment. A keen debate would proceed for an hour or two, generally from eight till ten o’clock, and the secretary, who is now writing these sketches, would sum up by way of reply sometimes till his throat, from positive animation or over-exertion, would become nearly hoarse. Then the good old smiling chairman would finally arise from his seat, and beseech silence while he put the question, which he did in this most simple but laughable form quite peculiar to himself, for we never heard the same emphasis on the same word before—“*Dooz* any one wish to say more? *dooz* any one second the motion? or *dooz* any one second the amendment?” and when the enrapt audience sometimes broke out into loud fits of laughter at the strange pronunciation of that word, he took it all in good humour, as if delighted with his own conduct in the chair. At the conclusion, after putting on his tartan mantle and cordially shaking us by the hand, he would say, “Noo, Mr. Secretary Mackenzie, see and take it *a’* down in your books correctly, for fear we be sent yet to Bridewell, as you know I was, for high treason in 1819.”

Talking of high treason thus glibly in the year 1819, will our generous readers here suffer us to tell them a most remarkable incident, which we solemnly attest for its fidelity. In the year 1793 the celebrated Horne Tooke, with Thomas Hardy and others, were seized and tried for high treason in London, their crime only being the *advocacy* of Reform! Well, Mr. John Scott, afterwards the great Earl of Eldon, Lord High Chancellor of England, and to whom George the Fourth gifted a splendid service of plate, was the leading Counsel for the Crown in that trial. In fact, Mr. Scott was then the Attorney-General of England, and a powerful man he was for his own party. He addressed the jury, sitting on the lives of those men in that trial, for the space of nearly nine hours. He demanded a verdict of *guilty* against each and all of them ; and if that verdict had been pronounced, it would have been one of the bloodiest days of its kind that England ever saw. But the jury found them *Not Guilty*; and for many years afterwards, Sir Francis Burdett, the pride of Westminster in the House of Commons, with whom we have shaken hands, celebrated the triumph of that verdict at public dinners in the Crown and Anchor Tavern in London. It happened that while in London in 1832, we had the felicity of being introduced to the veteran Thomas Hardie, then in the 80th year of his age, by our warm and steady friend, Mr. Joseph Hume, M.P. Mr. Hume had stepped from his carriage into the shop of Mr. Francis Place at Charing Cross, taking us with him, and Mr. F. Place, it was said, had many of the political secrets of Lord Melbourne, afterwards Prime Minister, committed to him; in fact, the shop of Francis Place was a sort of political den for all members of liberal principles. In it we beheld, for the first

time, the famous Thomas Hardie, who had escaped from the pains of high treason before we were born. After some preliminaries from Mr. Hume, the old veteran saluted us most cordially. He said he was delighted to see any young *chicks* from Scotland, coming up to principles pretty nearly resembling his own, which had brought his head nearly to the block in the Tower of London; and he exacted a pledge from us that we should come and visit him and breakfast with him on the following morning in his own house, No. 30 Queen's Row, Pimlico—not far from Buckingham Palace. We should state that Hardie himself was a native of Scotland, born at or near Falkirk, but he had then been in London for more than 60 years, and was evidently in easy if not comfortable circumstances. After breakfast we took a stroll with him through St. James' Park, and sat down with him on one of the seats in that park, directly in front of St. James' Palace, which we often saw William the Fourth enter. Old Hardie made us rehearse to him some of the things we really knew about “the bairns o' Falkirk,” from whence he came. He was perfectly delighted, and made us rehearse some of our recent political stories in Glasgow over to him again. “Stop, my dear sir! pray stop for a moment, here's my old friend and prosecutor, the Earl of Eldon, walking up in this direction towards us, where, indeed, I often see him taking his usual walk about this time in the morning. Gracious goodness, here he comes!” And up assuredly came the old Tory Attorney-General, the Right Honourable the Earl of Eldon, ex-Lord Chancellor of England. “Ah! how do ye do, Hardie?” and they actually saluted, and cordially shook hands with each other. We stood in a trance of astonishment, as we heard the Earl say, “You wear well, Hardie. Your friends are

now getting the upper hand." "Yes, please your lordship," said Hardie; "and the King, God bless him, is now with us." The Earl lifted his hat from his head in token of respect, and Hardie lifted his, and hoped his lordship would continue to enjoy long life and happiness. "Thank you," said his lordship, and the two, when parting, again most cordially shook each other by the hands. Can anything match that scene between two such men?

When we returned to Glasgow, we had a letter from the old veteran, which we read at a meeting of the Political Union, giving some passages of his life, and of his trial, which thrilled the assembly, and it concluded with these words:—

"Please make my best compliments to the members of the Union; and for yourself, dear sir, I conclude with my sincere good wishes that you may live long, and enjoy health and happiness, to continue your laudable exertions in advocating the great cause of civil liberty, both by your voice and your pen, and I remain,

Yours ever sincerely,

THOMAS HARDIE."

"To Mr. Peter Mackenzie, Glasgow."

Is not *that*, we may be excused for asking, a real manifesto, worthy of being referred to? If in the excess of vanity, as some may take it to be, or in the exuberance of our graver feelings, we refer to circumstances which few in Glasgow have it in their power to do, are we to be spit upon for doing so? Show us the man—if such there be in existence—who recorded the life of Thomas Muir and his tragical fate, and saluted Thomas Hardie long after his great peril; saw James Wilson, and Andrew Hardie, and John Baird condemned to death and executed, and King William the Fourth, by his Commissioners, giving his Royal Assent to the Reform Bill in the House

of Lords, besides many other things, most interesting and remarkable in modern history ; and we shall make our bow and leave the stage contented.

We shall speedily close these chapters, we hope with some respite, for we fear we have long ere now been wearying our readers with them. But we have here to make

#### AN APOLOGY, OR RATHER TWO APOLOGIES.

The first concerns the great House of Oswald, Stevenson, & Co., noticed in our 11th number. We said that it "went to the wall," the meaning of which might be taken to be that Messrs. Oswald, Stevenson, & Co., became bankrupt, soon after the termination of the celebrated case of Kingan *versus* Watson, which we reviewed. Now Messrs. Oswald, Stevenson, & Co. never went to the wall. They have nobly kept their ground for nearly half a century in this city. Messrs. Stevenson and its old surviving partners have been blessed with ample fortunes and genuine independence, and are respected everywhere. We should have confined our remarks solely to the house of Oswald, Tennant, & Co. They undoubtedly went to the wall—James Oswald and Alex. Tennant & Co., representing that house, certainly failed, and Mr. James McClelland was their Trustee ; but with this apology or explanation respecting Messrs. Oswald, Stevenson & Co., our strictures regarding the case itself of Kingan against Watson remain unimpeached.

Mistakes, they say, will sometimes happen in the best regulated families, and blunders will be committed in almost every mode of printing. The Bible itself has some errors in its printing.

We took especial care in correcting the proof sheets of our 12th number, to make the name of John Clerk, who

was promoted to the bench, appear as Lord Eldin, whereas our printers' devils, whether we would or no, persisted in calling him Lord Eldon. Now, there were *two* Lords nearly of the same name, viz., Lord Eldon, the English Lord High Chancellor and Lord Eldin the Scotch Judge. Our printers, we repeat, whether we would or no would make the Englishman the Scotchman, and *vice versa*, and we only found this out after our readers were served. Some of them might think that this was a most inexcusable blunder on our part, considering the previous stories we had been giving of John Clerk, Lord Eldin. This leads us, however, to publish a most laughable explanation from that great man himself, which otherwise we might not have given. He was asked one day whether, the names being so alike, he was related to Lord Eldon, "O yes," says John, "it's all in my eye,"—meaning the letter *I*; and therefore we crave our indulgent readers to substitute the letter *i* for the letter *o*; or to put Lord Eldin in his right place and Lord Eldon in his other, a thing they will easily do without upbraiding us as ignorant stupid asses!

Here, however, we shall eschew politics for a brief period, and introduce our readers to a new chapter wholly different from some of the preceding ones.

CHAPTER XXIV.

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THE SALMON FISHINGS ON THE CLYDE—THE FIRST  
COMET STEAMER—AND SOME JOTTINGS ABOUT  
HENRY BELL AND ÆNEAS MORRISON, &c.

How fleeting is the life of man? Henry Bell—poor Henry Bell! whom we remember perfectly, and have often chatted with as the inventor and owner of the very first steamer that ever sailed on the River Clyde, named by him the *Comet*, of some few tons burthen, and not exceeding six horse-power—differing so much from the comet then careering in the skies, and alarming the world by its effulgence—but the very name given by him to his tiny steamer indicated somewhat of his inventive genius. Henry Bell—poor, we say, and almost despised at that early period, though his name now can never die,—was vexed and wearied almost to death by the rude jibes and jeers levelled at him while fitting up his little vessel to sail from Helensburgh across to Greenock, and from Greenock to Dumbarton Castle, onwards to Bowling Bay and Glasgow. He was literally ridiculed and laughed at, worse than Bauldy Cochran the famous Glasgow jeweller. Some may remember the firm of Austen & Cochran, jewelers in Hutcheson Street, but Bauldy, when he appeared

*in propria persona* as an actor on the boards of the old Theatre Royal in Queen Street, was saluted, or rather derided, as “the moon-struck author.” Yet Bauldy, when he mounted his *wooden-legged horse* in that Theatre, which we remember very well, set his friends, the audience, in a roar by giving them a new comic song commencing with these words—

“ Did ye ever see a coo (cow) eating sourocks  
Between Greenock and Gourocks ? ”

He had the biggest mouth of any person we ever saw, and when he strutted on the stage opening it, the comic display was irresistible. But Henry Bell, with his boat to Greenock had no such laughable materials to deal with. He was actually *persecuted*, as we have remarked for his original labours regarding it. We saw him seized as a prisoner by Mr. Duncan Macfarlane, Messenger-at-Arms in Dumbarton, under a writ of caption for a debt of less than £20 for furnishings to his Comet. We hold the writ in our possession this moment, and it is a curiosity. But what is remarkable, another ingenious man who went hand in hand with Henry Bell about his original steam engines is now alive in this city, viz., Mr. John Robertson. We had the pleasure of seeing him the other day. He is hale and hearty, thanks to the generous aid of Robert Napier, who has countenanced and succoured him in his old age ; and there is no doubt of the fact that John Robertson thus referred to made with his own hands the engines for the *third* steamer after the Comet that commenced to ply on the River Clyde, which steamer was called the “Clyde,”—long before the glorious name of the late Lord Clyde was heard of in battle array. May we not indulge the hope that the present Clyde Trustees will

yet do something for poor old John Robertson. Their predecessors, we think, granted him a small pension some years ago, but it was for some reason or other shabbily and abruptly stopped. Sir Andrew Orr can probably explain the reason, for he filled the chair, we think, at that time ; but whether or not, the small-wares once vended in the Saltmarket can never outweigh, much less eclipse, the solid, the magnificent steamboat enterprises of Henry Bell, John Robertson, and others. Except for their stupendous merits, the Clyde itself at this moment might have been a stagnant pool, and the thousands and tens of thousands of pounds sterling now drawn from its resources by the River Trustees, still steadily on the increase, would have been in all probability ineffably small. It is well to notice some of these facts, even though they adorn poverty and chastise pride. We are only in the way of speaking the truth, and speak it we shall, in other things that are yet to follow. We cannot for the life of us understand how some shallow creatures get up in this world, while others of a more superior caste, do what they may, can only struggle on “through the slough or the waters of despond.” But doubtless there are wise reasons for this, which will be disclosed in another and a better hemisphere at last !

Henry Bell, of whom we have to say a few words further, had an only brother alive at that period, whose name was Thomas. The name of Henry was a sweet one, and nobody disliked it ; but *Tam* or Thomas did not sound so pleasantly in the lips of others. He was generally addressed as “Tammies ;” and Henry having erected the *Baths* at Helensburgh, and placed a coach on the road between Helensburgh and Glasgow for the accommodation of passengers (which led him to *think* of the

river accommodation), Tammas was installed by him as the guard or driver of that coach. It was a queer ricketty affair, travelling at the rate of some five miles per hour. But Tammas derived more money from that coach for a while than did his brother Henry with his Comet steamer.

Henry was a sedate man, Thomas was a bit of a wag. It was amusing sometimes to hear the *scolds* between them about their Comet and their dicky coach. We may observe that Thomas was a remarkably tall man, the tallest driver we ever saw, his legs were inverted and resembled the letter v: but he was possessed of a rich fund of humour and anecdote, and it was a great treat for the young boys or graver passengers with him on his coach, to hear him whistling and cracking his whip, and carrying on his dialogues with his *Rosinantes*, as he led them slowly by the head up or down the hill of Dalreoch, near Dumbarton, now the entrance to the tunnel of the railway in that quarter. Near to that hill of Dalreoch was the site of the residence of King Robert the Bruce. It was there, indeed, where that good King of Scotland died. We have often perambulated the hallowed spot in our boyish days, and amused ourselves with the delightful echo resounding through its woods—now no more—calling to memory the lines of Milton or Pope :—

“ O woods, O fountains, hillocks, dales, and bowers !  
With other *echo* late I taught your shades  
To answer, and resound for other song !  
To you I mourn, nor to the deaf I sing,  
The woods shall answer and the *echo* ring,  
'Tis not enough, no harshness gives offence,  
The sound must seem an *echo* to the sense.”

That first coach of Henry Bell, guided by his brother Thomas, made the journey from Glasgow to Helensburgh,

a distance by land of only some twenty-two miles, in the space of six hours: and good expeditious travelling it was thought to be in those days. It tarried for one hour for refreshment at Bowling Inn, then kept by one Peter Chalmers, who was afterwards tried before the High Court of Justiciary at Glasgow for *murder*, but acquitted. This famous coach only started from Glasgow for Helensburgh during *three* days of the week, and then only in the summer months, for there was no coach of any kind on that road in the winter months, and the above three allotted days were Monday, Wednesday, and Saturday, at six in the morning from Helensburgh, and two in the afternoon from Glasgow; inside seats, 7s.; outside, 5s. 6d. There was besides a regular allowance to the driver of 1s. from each inside passenger, and 6d. from the outside ones, so that on some occasions our friend *Tammas* had his wallets pretty well filled, and he was then in the best of all possible humour with his gibes and jeers. The very fatigue and tardiness of that journey, we can have no manner of doubt, impelled the genius of Henry Bell in regard to his steamer the *Comet*, above noticed. One of his best *patrons* in that coach, and who joked with him about his *Comet*, was old Mr. John Napier, who, next to James Watt, was the first engineer, beyond all question, in Glasgow. He had, besides Camlachie, his small place of business in Howard Street, and old Mr. John Napier had erected, or was then building a handsome cottage, as it was then thought to be, on the shores of Cardross. We remember very well of hearing, not once or twice, but often and again, old Mr. John Napier, with Major-General Thomas Geils of Ardmore, Robert Mackenzie of Clyde Bank, John Donald of Lylestone, Wm. Napier of Kilmaheu, James Dennistoun of Colegrain, and others, discus-

sing with Henry Bell his original plans about the Comet, while he himself would be developing them out with his pencil. How afterwards, yet then in our *teens*, we rejoiced when we beheld that wonderful steamer the Comet dashing up on her very first voyage against the wind and the waves to Glasgow! We have preserved and retain in our possession at this day, one of the original passenger tickets of the Comet, representing the tiny boat as gliding past Dumbarton Castle, which ticket was presented to us by the amiable widow of Henry Bell. It is of the year 1811, and looks as fresh as yesterday. Nor, perhaps, is it altogether out of place here to remark, that we heard old Provost Graham of Whitehill describe the fact, that when he first went from Glasgow to "the saut water," it was to Helensburgh, when there were only "two or three bits of houses in the place," and his first quarters were in an old farm house on the Barony of Milligs. They could get neither sugar nor tea in the village; no butcher and no baker, no church, no surgeon or apothecary; but it was pleasant, he remarked, to walk on to the church of Row to hear the preachings of the Rev. Mr. Allan, whose lovely daughter was courted by Mr. Duncan M'Farlane, the then young sprightly minister of Drymen, afterwards the Rev. Principal M'Farlane of the University of Glasgow,—a gentleman and a scholar, a man and a Christian, if ever there was one in this world.

See what Helensburgh now is with its vast population! Nor can we leave the spot, without stating that in that beautiful churchyard of Row, repose the ashes of Henry Bell, who, after all his toils and troubles, was remembered by his fellow-engineer, Mr. Robert Napier of Shandon, in the same parish of Row, who, at his own expense has reared a tablet to his memory. But why do the inhabi-

tants of Helensburgh, headed by the Lord of its Manor, not erect something there to attest the value of the man, who, more than any other, brought the town of Helensburgh and the surrounding districts to their present flourishing and exalted state?

We have already incidentally alluded to the name of Major-General Thomas Geils of Ardmore. He was a remarkable and most dignified old warrior, had seen much service in India, was at the sieges of Sir Arthur Wellesley the illustrious Duke of Wellington. He came home loaded with spoils and a vast fortune to the Hill of Ardmore, which we have heard often likened on a small scale to the Rock of Gibraltar. One day we saw him near the place we have already pointed out, viz., the Hill of Dalreoch, riding slowly on his charger, attended by two servants in splendid liveries. He alighted in a frail and feeble state. He beckoned to us, and his servants sprang forward to assist him. We thought he had taken suddenly unwell. "Young man," said he, stretching forth his hand to us, "I have alighted to pick up that small crumb of bread which I notice lying on the road. When I was in India," said he "fighting, and streaming with blood, I would have given at one time all the wealth of India, if I had had it at my disposal, for that small crust, to appease my hunger; and oh for a drink of that cool delicious Dalreoch spring water! No wonder," he added, "that Robert the Bruce wished to live and to die here. It's the most beautiful spot I have ever beheld in all my travels." He wrapped the piece of bread in his handkerchief, as if he had found some inestimable treasure, and away he went smiling with a benignity we can hardly forget. It made a deep impression upon us, and taught us not to despise the smallest of mercies.

## CHAPTER XXV.

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THE FISHINGS ON THE CLYDE, AND SOME NOTES  
THEREUPON.

FROM Henry Bell, cogitating with his plans for the *Navigation* of the Clyde with his steamer, we must now introduce to the notice of our readers another remarkable man, oftener than once noticed in these pages, not certainly so celebrated as Henry Bell, but following closely on his heels, for the improvement and success of the *Fishings*—and especially the salmon fishings of the Clyde. We refer to the late Æneas Morrison. He was passionately fond of fishing and of shooting. The study of the salmon was his great delight, and he angled in every river in Scotland. He was the great crony of the celebrated Mr. W. C. C. Grahame of Gartmore. The estate of Ardoch, bordering on the Clyde from Dumbarton Castle onwards to the Church of Cardross, opposite Port-Glasgow—according to traditional story—was gifted away, in a fit of passion, by its proprietor, Mr. Nicol Bontine, from his lawful heir, because he had married the girl of his heart. Old Nicol Bontine executed a deed of *Entail* of the estate in favour of the great grandfather of the present Grahame of Gartmore, with a *proviso* that the eldest son of the Grahames of Gartmore

should draw the rental of the estate on becoming twenty-one years of age,—then valued at £800 or £1000 per annum (it is now a great deal more)—and that he should assume the name and title of Bontine of Ardoch. We may state this fact about that entail, that it might have been challenged by the legal heir succeeding to old Nicol's son, viz., Mr. Ewing, a merchant in Greenock, as having been executed by the maker of it on death-bed, but Mr. Ewing did not avail himself of this undoubted legal challenge; and he died leaving as his heir his son, or grandson, Mr. James Ewing of Keppoch in Dumbartonshire. That was not an entailed estate, and after the lapse of some considerable time it was purchased by Mr. Alexander Dunlop, manager of the Renfrewshire Bank in Greenock, father of the present M.P. for Greenock. It has since gone into other hands.

The above Mr. James Ewing of Keppoch, however, when he came to understand his legal right, and all about it, took sweet counsel with his attached and most particular friend, old Mr. Robert Mackenzie, Sheriff-Clerk of Dumbartonshire, who was a great favourite of old Sir Islay Campbell, the Lord President of the Court of Session; and also with the Right Hon. Archibald Colquhoun of Killermont, who was then the Lord Advocate of Scotland, and representative in Parliament of the County of Dumbarton. The Sheriff-Depute of the County of Dumbarton at that time was John Glassford, Esq., Advocate, son of the great John Glassford, Esq. of Dougaldston, one of the ancient princes of this city, who married, for his third wife, the Hon. Miss Mackenzie, one of the daughters of the Earl of Seaforth; and after him Glassford Street, in this city, has been called. The two gentlemen above named, viz., the upright gaucy old lawyer Mackenzie, and his respected

client Ewing—started away in a post chaise, by appointment, to meet the Lord Advocate at his house of Garscadden. They returned rejoicing that his Lordship had given them the most distinct and confident opinion, that the deed of entail could yet be reduced, and the estate of Ardoch reclaimed by Mr. Ewing, as the undoubted lawful heir; but then nearly *forty years* had elapsed since the date of the deed, and any process of reduction to set it aside, behoved to be raised and executed against Grahame of Gartmore *within* these forty years. Only a few days had now to come and go on that great point of legal prescription, as it is called—eight or ten days at most—and then the forty years, if lapsed, no reduction could any longer be entertained. So to Edinburgh they went helter-skelter by coach, to get the necessary process raised. It was raised and signeted, and transmitted by post for execution on Graham of Gartmore, but by some horrid blunder it only reached its destination some five or six hours *after* the forty years elapsed. This saved the Entail of Ardoch.

#### CHAPTER I.—A DISCOVERY ABOUT THE FISHING, ETC.

It was at the above interesting period to himself, that Grahame of Gartmore called in the agency of *Aeneas Morrison*. That clever man, examining the ancient title deeds of the estate of Ardoch, discovered a Royal Charter, dated in 1663, whereby the *yairs*, or salmon fishings, on the shores of Ardoch, were mentioned as belonging of right to the estate. We need not give the Latin words of that old charter. Singularly enough, opposite, on other side to the shores of Ardoch, is situated the mansion-house and estate of Finlayston, which belonged to the Cunninghames, *Earls of Glencairn*; and the daughter of the last Earl of

Glencairn having married one of the Grahames of Gartmore, both estates, directly opposite each other, as we have remarked, on the River Clyde, came to be held by one and the same family. Hence the names of Cunningham Bon-tine Grahame of Gartmore were entwined with each other; and to make our story at this point complete, *Æneas Morrison* discovered that the old title deeds of the estate of Finlaystone very much resembled the old title deeds of Ardoch in this respect, that they mentioned the *yairs*, or salmon fishings, on the shores of Finlaystone.

Scratching his head, but perfectly delighted with this salmon discovery in these ancient deeds, *Æneas Morrison* leaped to the conclusion that since Henry Bell was making machinery for boats to carry passengers on the Clyde, he (*Morrison*) would try to make machinery for catching salmon in the same river, in virtue of the old deeds referred to. He therefore matured his plans, shaped his long poles, and completed his nets to hang thereupon in real *yairs* or cruives, stretching out into the river, and he soon made a good bargain with Grahame of Gartmore on the subject. The bargain was, that Mr. Morrison, at his own expense, if challenged, would vindicate and substantiate the legal rights of Mr. Grahame, as proprietor of the estates of Finlaystone and Ardoch, to those fishings, under the new experiment which Morrison was inventing ; and for his chivalry in this important matter, Morrison was to enjoy the fishings free of rent for the space of ten years ; and then for a further period of twenty-five years, he was to pay a covenanted rent of £300 sterling—a tolerable rise on the rental of Ardoch with this one new experiment. The bargain being thus struck, the Provost and Magistrates of Dumbarton took alarm, for the reasons to be immediately stated.

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**CHAPTER II.—THE ANCIENT NETS AND COBBLES ON THE LEVEN.—THE MAGISTRATES OF DUMBARTON *versus* MORRISON, ETC.**

For centuries previous, the Provost and Magistrates of Dumbarton had enjoyed the right to the valuable net and *cobble* fishings on the river Leven, which Smollet has celebrated—

“ Pure stream ! in whose transparent wave  
My youthful limbs I won’t to lave ;  
I envied not the happiest swain  
That ever trod the Arcadian plain.”

The Magistrates thought they had the absolute and exclusive right, in virtue of their old Royal Charter, to enjoy the WHOLE fishings on the river Clyde, from the Kelvin at Glasgow, down to the mouth of Lochlong—a pretty large and good sweep that was for the Dumbartonians. When Mr. Morrison therefore rapidly erected, as he did, his first salmon crive, stretching out into the river, on the line of the old “*yair*” of Ardoch, he conceived he was safely within the limits of the law and the title deeds of that estate ; but the worthy Magistrates of Dumbarton became perfectly enraged at him, as they said, for his “great daring.” Was he to intercept their fine salmon coming to the Leven, and there cannily caught by the drag nets and shallow cobbles of their decent taxman, Mr. Peter Macalister of the Mill of Balloch, paying them annually £250 sterling for those Leven fishings ? No, they would souce him by the action of the law.

Now, Mr. Morrison saw well enough the impending dilemma. It was the very thing he dreaded at the outset. But he had the most winning manners—could tell capital stories of the old Edinburgh Judges, of the Jacobites, and the clans, and the siege of Dumbarton, and the imprison-

ment of bonnie Queen Mary therein. He could speak of the old trout that actually swam within its wall for many years; and he was a jolly companion sometimes with old Governor Islay Ferrier in the Castle; and he knew Provost John and Jacob Dixon of Dumbarton pretty well. When one wishes to have a favourite object carried with a seeming adversary, it is advisable sometimes to speak to him through the stomach—to give him a good dinner, with plenty on the top of it. Robert Burns has settled this in his lines—

“When neebours anger at a plea,  
And just as wud as wud can be,  
How easy can the *barley bree*  
Cement the quarrel.  
It's aye the cheapest lawyer's fee  
To taste the barrel.”

So without much loss of time, our worthy old friend Mr. Æneas Morrison invited the whole Magistrates and Councillors of the Royal Burgh to a splendid dinner in the Elephant Inn of Mrs. Peter M'Nicol, in Dumbarton, one of the most trig and accomplished landladies that ever ruled the roast in any burgh. He plied them liberally with all sorts of liquor—brandy, port, claret, madeira, and sherry; champaigne was hardly known in Scotland at that time, for the great French war was going on, but for rum and rare whisky nothing could match the Elephant Inn of Dumbarton under the sway of Mrs. M'Nicol. They drank awful *sowps* of it, as the old saying was, and some of them at last, in their hiccups, began to drink “*success to the stake nets.*” Just the very thing their entertainer wanted. He said he came amongst them as their best *friend*—that if they would co-operate with him in the fishery, or offer him no molestation in trimming

his stake nets in his own way, he would pay them down £200 sterling per annum. (Great cheering and clapping of hands.) He did not then fancy that there would be any Todd and Higginbottom's calico printing works so far up the river, and other deleterious works on the margin of it, bringing wreck and ruin to the innocent salmon, or poisoning or chasing them away in another direction entirely. But no matter, old Councillor Jas. Roughhead, who may be remembered yet by some in the Burgh, and held considerable sway in it from his portly appearance, was perfectly delighted with this god-send of £200 a year, and moved that another dinner, on the first payment of it, should be given to the liberal Mr. Morrison in return. Song and sentiment followed;—but the wily old Town-Clerk, Mr. Robert Colquhoun, was never moved by the bottle. He always said it was best to give this toast—"May the evening's diversion prove the morning's reflection;" and on the morning after their heads were sober, he advised them that it was their duty to attend to the interests of the Burgh in their own fishings in the Clyde; and accordingly in imitation of Mr. Morrison's example, but not with his success, they now began to busy themselves in erecting several opposition *stake-nets* on the shores of Cardross, and down near to the very battlements of the Castle of Dumbarton itself. They thought that in that way they could easily get the better of Morrison's stakes, notwithstanding his liberal offer to them, and they set up the pretensions that they had the absolute and exclusive right to the whole fishings on both sides of the river all the way, as we have already stated, from the mouth of the Kelvin to the head of Lochlong!

## THE THUMPING SALMON PLEA.

Now comes the tug of war. These Magistrates of Dumbarton presented to the Sheriff, viz., James Glassford, Esq. of Dougalston (his Substitute was John Gray, Esq.) a petition of interdict against Grahame of Gartmore and Æneas Morrison, praying that they would be prohibited from carrying on these fishings (which were then becoming exceedingly valuable) by means of stake-nets, and to order them to be removed, as contrary to the rights of the Burghers of Dumbarton. The Sheriff-Substitute on the spot at once granted the interdict. Morrison became exceedingly enraged. He tried to get a similar interdict against the Magistrates, but they were a day before him with their caveat; so he posted in to Edinburgh (he grudged no expense in travelling), and got Messrs. Dunlop and Dickson, W.S., the agents of Gartmore, to present a bill of suspension to the Lord Ordinary on the bills, and for a recall of the Sheriff's interdict. That Lord Ordinary was the *first* Lord Meadowbank. John Clerk and James Moncrieff were, of course, for Mr. Morrison—they were two of his intimate friends. He, indeed, was once the first clerk of John Clerk himself, as we think we have previously mentioned; and they heartily espoused his cause, and stood by him in all the subsequent stages of it.

Lord Meadowbank *hoc statu* recalled the interdict, and when speaking of that learned lord, we may lug in the following amusing and clever anecdote. His son, the *second* Lord Meadowbank, snubbed Mr. Clerk one day at the bar about the argument he was using in some deed of entail case. Mr. Clerk was contending that the word “also” and the word “likewise” had different significations. “Not at all,” says the younger Meadowbank.

"They have the same meaning—they are synonymous terms." "I differ from your lordship," said Clerk. "Your lordship is Lord Meadowbank, and your father was *also* Lord Meadowbank, but you are not *like-wise*." This created a roar at the bar, at whose expense we need not say.

Delighted with the interlocutor in his pocket recalling the interdict, Æneas Morrison came flying out from Edinburgh in the mail coach, and in a post chaise with four horses, he galloped down to the ancient burgh, and employed Messrs. John M'Aulay and Archibald Colquhoun, carrying on business as writers in Dumbarton, under the firm of M'Aulay & Colquhoun, to intimate the Lord Ordinary's Interlocutor to each and all of the Magistrates and Council. The voice of a Lord Ordinary in those days was an awful thing to be heard by a supposed losing party in the provinces. It was rarely heard within the confines of the Burgh or County of Dumbarton, but the old Town-Clerk Colquhoun, buckled on his armour, and to Edinburgh he went and instructed Messrs. Callander & Fisher to appear and answer the Bill of Suspension before the Lord Ordinary, and to assert the rights of the Burgh of Dumbarton. The Counsel engaged for that purpose were David Cathcart, afterwards Lord Alloway, and Robt. Forsyth, Esqs., Advocates. The *plea* became a roaring but a slow one. One salmon season had now passed over, and Morrison had bagged his £600 or £800 of clear profit. Another year rolled over, and his profits increased. He extended his stake-net machinery, but he literally threw away his money in other directions like Dutch water. The man could not horde money. His delight was to spend it in jovial company, where he always was

"The pink of nice fellows,  
And the wale of good men."

The Clyde now became perfectly studded with stake nets all the way between Cardross and Dumbarton Castle on the one side, and Finlaystone nearly to Bishopton on the other. Talking of Bishopton, by the bye, there was a famous pitched battle appointed to take place there at that time between the celebrated English boxers, Molineaux and Spring, for five hundred guineas a side, and thousands of people flocked from Glasgow and other parts of the kingdom to behold the revolting spectacle. But the late Alexander Campbell of Barnhill, Sheriff-Substitute of Renfrewshire at Paisley—a most amiable and accomplished man—personally went to Bishopton with his staff of officers and prohibited it. But to our more quiet and limpid story. We have actually seen upwards of 150 salmon counted and taken out of *one* of those stake nets when the tide receded on a Monday morning. But this, though large and seemingly incredible now, was not equal to the vast quantities taken by similar machinery on the Tay. There on one morning 3000 salmon were captured and forwarded to London ; and on an average, they were worth the fishermen one guinea each, or £3150 sterling—not bad for one morning's haul. At an earlier period of Glasgow history there can be no doubt that the salmon fishings on the Clyde were exceedingly valuable. They spawned in the Kelvin and actually in the Molen-dinar Burn. The very arms of the city are indicative of this ; indeed, so plentifully did they abound that we have seen several old weavers' indentures expressly stipulating that whereas the apprentice was to board with the master “he the said apprentice shall not be compelled to subsist on *salmon* for his regular meals more than three lawful days in each week.” He preferred bannocks and barley meal ! How the poor weaver's lips might smack now for a deli-

cious morsel of the monarch of the sea as often as possible in due season!

At last, after a long contention of six years, Lord Meadowbank advising the whole case, decided it in favour of *Æneas Morrison* and Grahame of Gartmore, and against the Magistrates of Dumbarton. All the *Morrisonites* on the Clyde rejoiced. Claud Alexander of Southbar and Ballochmyle, the Ladies Semple, (Baroness Semple in the peerage), then residing in their property near Bishopton, Colonel Campbell in Finlaystone House, all the old *rum* captains in and about Port-Glasgow, hung out their flags; while on the opposite shore, the staff of the Dumbartonshire Militia, headed by Captain Harrison, Finlay M'Martin, and Joseph Henny, who may yet be remembered in the town of Dumbarton, each of them got a fresh salmon out of the stake nets by Mr. Morrison's orders, to regale themselves as they liked best in the old Burgh. This was of course gall and wormwood to the ancient Town-Clerk; and Councillor Roughhead again sorely lamented that they had not taken his previous advice and snapped at the £200 per annum offered by that "broth of a gentleman," as he called him, and given him his goudyamous on the head of it. But *reclaiming* petitions by the Magistrates were presented to the Court. Answers thereto for the winning parties were ordered and lodged, and after the lapse of another couple of years or more their lordships, of the second division of the Court, by a majority *recalled* the interlocutor of the Lord Ordinary, and found and decided that neither of the parties had a right to erect stake nets on the River Clyde: that they were illegal: and therefore they ordered them to be taken down or removed.

This was a settler not only to Grahame and Morrison,

but to the Magistrates of Dumbarton. Old Councillor Roughhead, with his fellow Councillors James Napier, John and James M'Allester, Wm. Steel, the teacher, and Johnny Paterson, the lawyer, and others of the junior and senior magnates of the Burgh again lamented—they lamented in sober earnest that they had not accepted the gilded bait of £200 as above mentioned. They, with a few others still to the fore, had previously formed “a Salmon Club” in the Burgh, and the original printed text of it had the figure of a salmon, with the following words inscribed underneath it, “Lochlomond water for me,” which reminds us of the Highlander’s expression, who, when asked what he would like best for himself if he were made a king, replied, “Oigh, her nainsel’ wad just like to hae a Benlomond o’ snuff, and a Lochlomond o’ whisky.”

But the thumping plea was not yet over; nor were the stake-nets demolished. They had a run still for it. An appeal was entered to the House of Lords by Messrs. Grahame and Morrison, and a cross appeal was also entered for the Magistrates of Dumbarton, against the judgment of the Court of Session. Several of the most eminent and leading counsel at the English bar were retained in these appeals;—for instance, Sir John Leach, afterwards Master of the Rolls; the Hon. James Abercrombie, afterwards Speaker of the House of Commons, and created Lord Dunfermline; Henry Brougham; Sir Charles Wetheral, Attorney-General; Mr. Scarlett, afterwards created Lord Abinger, and Lord Chief Baron, &c.

After the lapse of other three or four years, these appeals came to be heard and decided in the House of Lords, by Lord Chancellor Eldon, assisted by the Earl of Lauderdale, who had passed in early life as advocate at

the Scottish bar, and by the first Lord Redesdale. The judgment of the Court of Session was *affirmed*, and thus the court of last resort finally decided that stake-nets in the river Clyde were illegal, and that none of the parties to that process could use them.

This, of course, finished the affair. It effectually extinguished the rich hauls of Mr. *Aeneas Morrison*, but it did not benefit the town of Dumbarton. It cost them some thousands of expenses; whereas had they accepted his original offer, and lived in concord, both parties, and their descendants, might have been greatly benefited at this day. The river Clyde, we fear, is nearly exhausted for its salmon. Its streams are no longer the pure and the wholesome streams they once were; but the tremendous increase of commerce, now wafted on it to all parts of the world, atones for that difference. If any of our readers are curious to know the sites of the old *yairs*, or stake-nets, on the Finlaystone shores, they have only to look out of the windows of the Glasgow and Greenock Railway carriages, as they pass (when the tide is at its ebb) in that direction, and they will see stretching out into the river the long dark line still visible on the placid sands.

As for Mr. Morrison himself, his courage never failed him with other inventions. Not only did he engage with great success in the profession of the law, in this city, but he invented and took out a patent for preserving fresh meats, and other provisions, for consumption at home, and for exports to foreign lands. He reaped no great advantage from that patent in his own lifetime, but it has since been the means of making fortunes to others. He also materially aided and assisted the late Mr. Charles M'Intosh of Dunchattan and Campsie, about his original application of caoutcha to linen, cotton, and other fabrics,

which led to the introduction of the first famous M'Intosh water-proof dresses. Mr. Morrison was the man who prepared that patent for Mr. M'Intosh, and we actually copied the first specification of that patent on stamped paper, which may be seen in the patent office to this day. It is singular to relate, but it is the fact, that the very first water-proof dress made in Glasgow by Mr. Charles M'Intosh was presented by him to *Æneas Morrison*, but it proved his winding sheet! He went out to the Bucklyvie moors, in Stirlingshire, to shoot grouse one summer, on the 12th of August, about forty years ago. He bagged his game plentifully, right and left; he was as merry as any man could be on such occasions; the perspiration fell from off his face. That water-proof dress, the first and the last he ever had, and of which he was so proud when he first put it on for his shooting excursion, had, it was thought, prevented the free circulation through other parts of his body; and he was brought back to Glasgow, almost senseless, and died very soon afterwards.

He had been twice married, but was then a widower—had two sons, and three most amiable and accomplished daughters. The first of these daughters married the eldest son and heir of General Bruce of Kennet; the second married the first James Hunter, Esq., of Hafton; and the third married John Robertson, Esq., of Greenock, and by that marriage there springs Mr. Archibald Robertson of the Royal Bank, and Mr. J. Wallace Robertson the treasurer of the Glasgow Royal Infirmary.

We hope we offend nobody by these old stories.

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## CHAPTER XXVI.

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### A BLOODY RIOT IN GLASGOW—BOB DREGHORN'S HOUSE—THE HANGMAN'S WHIP, &c.

ON Sunday afternoon, the 17th of February, 1822, a most extraordinary and bloody riot took place in this city, which we shall now attempt to describe.

All our Glasgow readers, we dare say, have already heard of the name of the celebrated Robert Dreghorn, Esq., vulgarly called *Bob Dragon*. Senex has noticed him, and also Dr. Strang, but Dr. Clelland did so long before either of the two; while recent writers have absurdly connected him with Lieutenant-Colonel David Dreghorn of the present day. They are in no ways, however, connected, not in the slightest degree; and it is right that this should be properly understood.

The father of the aforesaid Mr. Robert Dreghorn, was a timber merchant, wright, and joiner in this city during the better part of the last century. He amassed considerable wealth, and according to the authority of Dr. Clelland in his *Annals of Glasgow*, vol. i., page 33, he was the very first gentleman who started his four-wheeled carriage in Glasgow, about the year 1752. He left a handsome fortune to his family, and in particular to his son *Bob*, who never married, but he seems to have been a great

admirer of the fair sex ; and some have described him as a great and most notorious rake, yet his *wealth* in those days, as it does with others still, covered a vast multitude of sins.

On one occasion he was to be rebuked on the stool of repentance on a Sunday, in the Parish Church of Govan, for some nameless offence committed by him in that quarter, where he had his summer residence. The notice of this ran through Glasgow, and some of the best ladies and gentlemen in the city went down to Govan purposely to see and hear *Bob Dragon* publicly rebuked in presence of the congregation. The Rev. Mr. Thom was at that time minister of the Parish, and he was celebrated for his ready wit and repartees on many occasions.

When Bob was called forth to the stool of repentance to be thus publicly rebuked, the reverend minister began to address him in this manner : “ Oh ! Mr. Drehorn, Mr. Drehorn, surely, surely, ye’ve been weel liked, for I have never seen a greater congregation all my days in this place ; yea I am almost persuaded that every *leddy* in Glasgow is doon here the day to get a sight of you.” On that first flourish the ladies did indeed hang down their heads, and some of them blushed, but Bob, nothing skaithed, went his way rejoicing after all. There have been no such rebukes in the parish of Govan, we trow, ever since. It was this Rev. Mr. Thom, we think, who, at some ordination or other within the bounds of the Presbytery of Glasgow, when all the clergymen present behoved to step forward and lay their hands on the head of the ordained minister, in token of their approbation, reached forward with his staff in hand, and laying it gently on the head of his reverend brother, exclaimed, “ *Timber to timber!*”

In Glasgow Mr. Dreghorn occupied one of the most magnificent houses then erected in it—in Clyde Street, not far from the Jail. The old Duke of Montrose's house up in the Ladywell, was nothing to it; and when strangers came to Glasgow they went to see Bob Dreghorn's house, as one of the lions of the city. He was regarded for his wealth and nothing else, for in appearance he was a very ugly man, strongly pitted with the small-pox. It was computed that he had an income at the rate of *one guinea* per hour, or upwards of £8000 per annum—an amazing sum in the estimation of the citizens fifty or sixty years ago—but there are many of our merchant princes now who can top it with their £20,000 per annum. Nor is it altogether out of place to remark, that there have been failures in Glasgow preceding the downfall of the Western Bank a few years ago to the amount of £200,000 sterling for one single firm. Notwithstanding of his handsome income, far exceeding his legitimate wants, Mr. Dreghorn came to imbibe the notion, as many wealthy boors have often done, that he was actually a poor man, reduced nearly to a state of beggary and starvation ; which reminds us of the fact that not many years ago one of our “merchant princes” now dead was troubled in the same way, and sent out circulars to his supposed creditors, begging their indulgence for a few days, although he had at that moment a clear sum of upwards of £40,000 lying snugly at his credit in one of our banks. Worse than all this, there was, subsequent to that event a rich miserly bachelor scrub, connected with this city who had an estate worth £10,000 per annum, within twenty miles of Eaglesham. He allowed one of his relatives to be maintained on the poors' roll of the Parish ; and so penurious was he, that we have seen him

in a cold wintry day carrying a basket in his shrivelled hands with some ingredients to save twopence. An eminent physician of this city latterly attended him on his sick bed, and put up his horses in his stable till the consultation was over. The miserly wretch somehow learned that the physician's coachman had obtained a feed of corn for his horses from the corn chest of the old groaning and nearly expiring miser, when the latter actually ordered the keys of that corn chest to be brought and placed under his pillow ; so when the physician in his carriage went out again to see him, and learned now that he could get no feed of corn for his jaded horses, he, with the spirit of a man and the dignity of a gentleman, wheeled round and returned to Glasgow, and disdained or peremptorily refused to visit the wretch again. There was some discussion at law about his estates after his death, but his memory is little respected, and this small notice of him will not tend to enhance it, we suppose, in any degree.

One day, while walking in the Green of Glasgow, wrapt up in his soliloquys, Mr. Dreghorn espied a worthy Bailie of the city, and addressed him, and after some commonplace observations, Mr. Dreghorn broke out into a fit of the most plaintive misery, by declaring that he was so reduced in circumstances that he would soon die in poverty and want. "Tuts, Mr. Dreghorn," said the intelligent Bailie, "never despond in that way, for you are a member of the Merchants' House of Glasgow, and I will secure you admission into the Town Hospital, if need be." This information had the effect of cheering him up at the time, but soon afterwards he destroyed himself with his own hands in his splendid mansion house in Clyde Street.

That mansion house stood empty for many a long day afterwards. It got the name of being "a haunted house,"

where Bob's *ghost*, in dark nights was seen! Nobody would go to it as a tenant, though the rent sought for it became extremely small. At last old Mr. James Galloway, the Auditor of the Burgh Court of Glasgow, who originally came from Ayrshire, and had been on terms of intimacy with Robert Burns, who cared nothing for witches or warlocks either, as his scenes about Alloway Kirk can testify;—old Galloway the Auditor, with whom we often chatted, and heard many of his droll stories, took a fancy for the haunted or deserted house of Mr. Dreghorn, and he became the tenant of it on the most easy terms. There was what was called “a heating of the house,” soon after old Mr. Galloway's entrance to it, viz., in the shape of a grand ball to all the young scribes of the city who were his especial favourites, including their ascertained sweethearts or fond partners to be. That ball went off brilliantly; it was perhaps the only one ever held in it on the light fantastic toe. Every one was captivated by it, and *Bob Dragon's* ghost, if such there ever was, must have been chased away by the virtuous mirth and overflowing hilarity at it. His only son, James, afterwards joined the nephew of Robert Burns in partnership in this city, under the firm of Burns & Galloway, writers, and Mr. Burns was the factor of the then Lord Blantyre, who was killed at the Revolution in Belgium. The fair, sprightly, and only daughter of the old auditor, became at last very timid about the alleged haunted house; she entreated her father to leave it, and he left it accordingly for her sake, but they all died very soon afterwards, in rapid succession the one after the other.

Again that house became tenantless; but after the lapse of some years, a bold, tall, and vigorous man then

in the city, viz., Mr. George Provand, oil and colour merchant, engaged to take and occupy it for his dwelling-house, office house, and oil paints, &c.

The *resurrectionists*, as they were called, were in great vogue at that time in Glasgow. There can be no doubt that the *graves* of many respected individuals were violated, and their bodies surreptitiously carried for dissection to certain places in Glasgow, which we need not name. That led to some important trials in the High Court of Justiciary, which we shall not here enter upon, interesting as some of the details are in our possession. People were afraid of being murdered on the streets at night, "by sticking plaster," in order that their bodies might also undergo the experiment of the dissecting knife, for the aid of medical science. We are not exaggerating in the slightest degree. These were, indeed, woful times in Glasgow, and they bring us now to the strange *denouement* of our present chapter.

#### CHAPTER I.—THE RIOTOUS MOB.

Mr. George Provand had closed his shutters of that supposed "haunted house," on Saturday night, and went quietly to bed, but leaving one of the windows on the ground floor a little open. Some stragglers, on the Sabbath morning, took the liberty of peeping through that window, and propagated the false statement that there were *resurrectionists* in that house, for the floors of it, as they saw (to their mistaken eyes), were streaming with blood. They took the red paints on Mr. Provand's floors to be the real blood of human victims; and two *black* pots of paint in the same locality were pronounced by them to be the real heads of two poor chimney-sweeps who had gone amissing, but now found cruelly butchered, for the dissecting tables

It is singular how false and fictitious alarms, however childish, or however monstrous, are most readily swallowed, and sometimes lead to the most serious results. The crowd opposite to Mr. Provand's house had greatly increased in the forenoon, and menaced him as a bloody old *resurrectionist*. He expostulated with them in vain. They began to throw stones at his windows, and to threaten him with execution on the spot. He protested his innocence of their accusations, but this only led them to become more fierce and fiendish against him. After smashing the whole of his windows, they began to burst open his doors. The old man, poor and alone, endeavoured to barricade those doors, but seeing he could make no effectual resistance against them, he leaped out from one of his back windows, and narrowly made his escape up through the Stockwell. Had they found him at the moment in his own house, there is little doubt that they would have massacred him on the spot, as a *resurrectionist*, which the *pants*, in their misguided eyes, proved him to be. They trampled on his pants, tumbled over and destroyed them, but that did not satisfy them of their own delusion ; they broke open his drawers, and stole away his silver plate, and money therein deposited ; and others of them, not satisfied with this devastation and plunder, actually began to smash and burn his furniture, with loud huzzahs, as if they were doing some most meritorious act on the Sabbath day !

We happened, on that memorable occasion, to be in the dwelling-house of old Mrs. Widow Lindsay, on the opposite side of the river, mother of the famous W. S. Lindsay, Esq., who has risen to such wealth and distinction, and was lately M.P. for Tynemouth. He was then a poor young boy, but a very clever one, in this city ; and it is no dis-

paragement to him, and no reproach to ourselves, to say that he has often and again ran with our messages and our proof sheets to the printers' office, and carried them back to us in the highest glee, after getting a sixpence or a shilling for his pains in so doing. We hope yet to speak of his friendship, his fame, and his generosity, in another way. Strange to say, his devoted mother put on mournings for him at one time, thinking—so the news came—that he had been drowned at sea. Little did she imagine that her dear boy was spared, and would live to grace the British legislature, and become one of the greatest ship-owners and merchants in Europe !

In the quiet house of the mother of that now renowned gentleman, we declare we saw the mob on the opposite side of the river, on the Sunday referred to, rushing from Mr. Provand's house, with innumerable articles of his furniture—tables and chairs, blankets and bedding, and everything they could lay their hands on—and pitching them into the river! The police of the city were actually overpowered and deforced in their attempt to stem this most outrageous work. They were pelted away with stones, and had to run for their lives. About four o'clock of the afternoon, as the churches were dismissing, the whole city was in a ferment about this so-called *resurrectionist* affair. The Magistrates, attended by Mr. Jas. Hardie, the then Master of Police ; Mr. Andrew Simpson, the Burgh Fiscal; Dr. Wm. Davie, the late Town-Clerk, with others of the most respectable citizens, made their appearance at the scene of action, to expostulate with the mob. They were hooted and pelted, and driven away ; and Mr. Laurence Craigie, in particular, the Acting-Chief Magistrate, had a most narrow escape for his life. He managed, however, to rush over to the Cavalry

Barracks, then in Laurieston, where the Govan Poor House is now situated ; and others of his colleagues fled to the Infantry Barracks in the Gallowgate, for the work of destruction was still going most frightfully and desperately on. Laurence Craigie, on a dragoon horse, headed the dragoons. They were soon seen galloping across the old Jamaica Bridge. The Infantry, from the Barracks, were coming forward in double quick order.

The *Riot Act* was then read that Sunday afternoon in Glasgow. Thrilling was the scene. Hundreds and thousands, innocent and guilty, took to their heels and fled ! The dragoons, with their drawn sabres, tamed the most unruly of the mob ; yet it was an awful evening in Glasgow, and some may yet remember it well.

On the following morning, viz., Monday, the 18th February, 1822, the Lord Provost and Magistrates issued the following proclamation :—

**“TWO HUNDRED GUINEAS REWARD.**

“Whereas, on the afternoon of yesterday (Sunday, the 17th inst.), the dwelling-house of Mr. George Provand, colour merchant, situated in West Clyde Street, was broken into and entered by a riotous and tumultuous assemblage of persons who, besides breaking the windows and destroying many articles of furniture in the house, were guilty of stealing and carrying away therefrom a number of gold, silver, and copper coins, silver plate, &c.

“The Lord Provost and Magistrates hereby offer a reward of

“Two Hundred Guineas,

to be paid by the Procurator-Fiscal of the city, to any persons who shall, within one month of this date, give such information as will lead to the apprehension and conviction of the offenders.

“The Lord Provost and Magistrates further most earnestly request that any of the well-disposed inhabitants who may be possessed of information relative to the actors in this wicked and unprovoked outrage, will have the goodness to communicate such information forthwith.

“Glasgow, 18th February, 1822.”

In consequence of that proclamation and reward, a number of persons were apprehended, but of these we need only give the names of Richard Campbell, weaver; John Macmillan, painter; John Campbell, shoemaker; James Brown, packman; and John Munro, weaver, because these were publicly brought to trial before the Circuit Court of Justiciary, in the month of April following. The fact of their complicity and guilt was clearly established. The case against Campbell was more flagrant than that of the others, inasmuch as he had been at one time an old police officer; and instead of aiding the police on this occasion, he had incited the mob to repulse them, and to stone the Magistrates. The Jury, without leaving the box, unanimously found the whole of them guilty. They were sentenced to be transported beyond seas for the space of fourteen years; but in addition, Campbell, as being the ringleader, was adjudged to be scourged through the city, by the hangman, on the 8th day of May following.

CHAPTER II.—THE LAST WHIPPING THROUGH THE STREETS OF GLASGOW  
BY THE HANGMAN.

Accordingly, on that memorable 8th day of May, 1822, at 12 o'clock, a strong detachment of the 4th Dragoon Guards paraded in front of the Jail, and at the sametime a strong party of police and civil officers attended, under the direction of Mr. James Hardie, the Superintendent of Police. Soon afterwards, the convicted culprit was brought out of the Jail by the north door, and bound to a cart which was in waiting. Parties of the Dragoons were placed in front and rear to keep off the crowd; and when all was ready, the cavalcade moved round to the area on the south side of the Jail, where the culprit's back was

laid bare by the hangman, who gave him his first twenty lashes with a formidable “cat o’ nine tails,” always so called. The like punishment was repeated at the foot of the Stockwell, and also at the head of the Stockwell; but the last twenty lashes—making *eighty* in all—were given by Thomas Young, the hangman, at the crowded Cross of Glasgow—the prisoner groaning and lamenting his fate; but this terrible example had the most salutary effect;—it taught the mob that there was a power over them after all.

Of Thomas Young, that old Glasgow hangman, long since departed from this “vale of strife,” we may here add a very few words. He was, as we very well remember, a tall, lean, lank man, apparently of good disposition—gentle and affable to all who approached him in the better skirts of life; living happily with his small family in two inner departments of the Jail, at a salary of one guinea per week, paid by the Magistrates; and also, as the saying was, with a free house, coal, and candle, and all the other usual *perquisites* of his office.

*Tammas*, for that was the name he delighted to be called by, never ventured to stroll farther from his dwelling in the Jail than eastward to Nelson’s Monument on the Green, accompanied by his faithful Newfoundland dog, called “Hero,” which he said he could safely match against “any six ordinary men.” Thomas was always well pleased when recognised, or civilly spoken to, by any of the young scribes attending the Courts of the Magistrates at the Jail. He could even joke with them in his quiet walks on the borders of the Green, but no power on earth could induce him to step up to the Cross of Glasgow, unless in the discharge of public duty, and well guarded. Thus he showed some temerity for his own

life, but was ever ready to thrapple others, according to law. His own hand sent many culprits in this city to their great account, whether for weal or for woe. In his old age, when he was getting frail and feeble, and could not handle the rope as he said he once could do, he resigned his office, and went to America, where some of his elder children had settled down into a state of comfort and independence.

Since his exit from Glasgow, our city authorities have wisely shut up the old hangman's house, and beckoned Mr. Calcraft from London ; and we join in the wish that the seldomer he is seen here the better. His absence, indeed, is significant of good company ; but the last finisher of the law is entitled to every respect in all proper cases ; and to this surely some of our readers will say, Amen !

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## CHAPTER XXVII.

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### LITERATURE AND THE FINE ARTS IN GLASGOW— AN AMUSING STORY.

IT has, we see, been promulgated the other day, by Messrs. Andrew Bannatyne & John Wright, jun., two of the surviving trustees of the late Mr. James Haldane, engraver in Glasgow (whom we incidentally introduced to our readers in the case of Kingan *versus* Watson), that he has left about £7000 sterling for the cultivation of the Fine Arts in Glasgow. Good, very good, we say. But this brings us the opportunity of bringing another case under the observation of our readers, namely, the case of Mr. Thomas Atkinson, junr., bookseller in Glasgow, who, more than thirty years ago, executed a settlement, bequeathing the residue of his estate to form a fund for the erection of a Literary Institute in Glasgow, to be called the "Atkinson Institution," respecting which there have been some very expensive proceedings at law ; but we believe we are in a condition to state that about £3000 sterling will be realised to carry his settlement into effect, so far as the fund goes.

We have a few words to say about Mr. Atkinson in this place. He is long since dead ; but he was a charac-

ter of his day, and we knew him intimately and well. He was a bookseller near the Cross ; he formed a co-partnership with the late Mr. David Robertson, bookseller to Her Majesty, and the firm was Messrs. Robertson & Atkinson. Many yet in Glasgow may remember that firm.

Mr. Thomas Atkinson, junr., by virtue of his own talents, was well known in this city and beyond it. He was somewhat of a self-taught genius—he wrote poetry and he wrote prose. He was the author of the “Chameleon,” and other works of that light, pleasing, and poetical kind. He dedicated his “Sextuple Alliance” to James Ewing, Esq., of Levenside, whom he designated as the Roscoe and the Ricardo of Glasgow, and Mr. Ewing was very much attached to him ; so was old Mr. James Dennistoun, the banker, and others.

He was a fluent and rather graceful speaker, but the matter of his speech could not sometimes hold cold water. The eloquence of his tongue far surpassed the composition of his pen ; yet he was altogether a very clever youth and much esteemed. He exhausted and literally killed himself with *politics*. He was ever and anon in the Glasgow Political Union, and he formed the ambitious design of standing for the representation of this city in the first Reformed Parliament. So strong was his ambition that he often boasted he would find his way to the House of Lords, and make the lady who married him a *Countess* by right ! This brought him very much into ridicule at times. He actually addressed and published a letter to the citizens of Glasgow, soliciting the honour of their suffrages, telling them that he “was of the people, *for* the people, and *from* the people.” Loud fits of laughter were raised about it ; and finding, to

his great dismay, that he had no chance of capturing Glasgow on his road to Parliament, some wags invited him to stand for the representation of the Stirling district of Burghs ; and away he went in a carriage and pair to address the good people in that quarter, thinking and believing that he would easily capture the whole of them by his “matchless eloquence.”

Some wags penned the following lines which we have long kept in our bureaux—

LITTLE TOMMY TIT.

“ Little Tommy Tit, he’s proud and he’s great,  
 His mind is ta’en up with the things o’ the State ;  
 He wanted a place his nonsense to squeak,  
 But favour in Glasgow was fashious to seek.

Awa’ in the north, near Airthery Well,  
 Some lasses, ae nicht, when their tongues wagged well,  
 Resolved to invite dear Little Tom Tit  
 ‘To stand for the place,’ and puff off a bit.

His hat was weel brushed—as gude as when new—  
 His breast-plate was white, his coat it was blue ;  
 The pockets stuck fu’ wi’ his speeches and chat !  
 O wha could refuse the great Member wi’ that ?

Then great was the uproar, and great was the strife,  
 Frae Callender Brig to the East Neuk o’ Fife,” &c.

It is needless to say that he came back from this journey sorely *forejasket*; and he was pelted with many other squibs besides the above. We are sorry to say that he was the *bastard*, or, as it is now more genteely called, he was the natural son of rather an eminent butcher in King Street of this city, whose name he indeed bore ; but it distressed him to hear the least allusion to his origin. He rejoiced to live with his mother, in a neat little house,

near the foot of Kent Street, in the Gallowgate. She was, indeed, a curiosity. She could tell the pedigree or history of nearly every family in Glasgow of the least consequence. But she was a bit of a *vixen* in the matter of her own temper, and *Tom*, or *Tommy*, as he was called amongst his cronies, shared that temper in common with her. He was the mother's son beyond mistake.

One day he gave a grand dinner-party, and much preparation had been made about it by his attentive mother. James Watson, of the Glasgow Bank; Andrew Henderson, the famous painter, and author of the book of "Scottish Proverbs;" John Carrick, who wrote the "Tragedy of Wallace;" William Motherwell, of the *Courier*; old Isaac Baxter, of the Italian Warehouse; the late Sir Jas. Anderson; William Craig, the City Councillor, and others, were of that party, and we beg leave, with all respect, to inclose ourselves.

Now for our story. Tommy had been angry and displeased with his mother and stewards about the dishing of the dinner; but it was a very good one for all that. We overheard him scolding them terribly about it, obviously to the mother's great chagrin and mortification, including a good spice of anger at him, for all her labour about the dinner. The dinner itself went off with great hilarity. Proverbs and lines of Scottish poetry, and songs and sentiments went round; and aye the cold punch and claret and whisky toddy were getting better. At last one of the servant wenches rushed into the dining-room, bitterly crying, "Master, master, come quickly. Mistress has swallowed something; she is very ill; for God-sake, come quickly." Tommy, of course, immediately left the room to see his mother. He returned to the excited company with a face pale as death! "O God!" he exclaimed,

“gentlemen, gentlemen, my mother has taken poison ;—  
*she has poisoned herself!*”

On that one gentleman ran, and another gentleman ran, for the nearest surgeon. Poor Tommy himself rushed away in quest of his personal friend, Dr. Wm. Young, in Wilson Street, one of the best physicians and surgeons in the city. One or two of the gentlemen remained to get boiling water, hot flannels, and mustard poultices ready in the kitchen. Such a scene ! One Gallowgate surgeon appeared ; as the Gallowgate surgeon appeared, Dr. Francis Nelson, the police surgeon, arrived with his stomach pump ; and then came Dr. William Young, with anxious and palpitating Tommy.

Now, Dr Young, as all may remember, who remember him at all, was a great big burly, but handsome looking man. The perspiration was dropping down his cheeks. He threw off his coat, pulled up his sleeves, and prepared the stomach pump, with other implements, and laid them quickly on the table.

He then went into the lady’s room, whom he knew very well, for he had often been with other parties in the house. She was in bed, moaning. He shook her by the shoulders, and roused her up. “What have you swallowed, mem ?” said the doctor, in presence of his colleagues. “Swallowed, doctor !” as she looked at him with perfect amazement. “Yes, mem ; tell me instantly what you have swallowed !” “Oh, dear doctor,” she replied, “Oh, I’ve just swallowed my *Tam’s stock of IMPUDENCE !*”

At the sound of that last word, the whole party establishment burst into a roar. The portly form of Dr. Young shook violently. He gave her such a lecture for leading him such a dance that hot afternoon !—but the pencil of Hogarth would be required to describe the remain-

der. Suffice it to say, that we all felt for poor Tommy under these at first unpleasing, distressing, and somewhat affronting circumstances; and the rest of the evening, to soothe his feelings or keep up his spirits, was spent over an extra tumbler or two, which left no *poisonous* effects about them then or afterwards.

“Peace, then, to his memory!”

He died on a voyage to Barbadoes, for the recovery of his health ; and in justice to the mother deeply attached to him—notwithstanding the above slip—she erected a handsome tablet to his memory, which may be seen in the Necropolis of Glasgow.

## CHAPTER XXVIII.

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### THE TRICKY LAWYER VANQUISHED BY HIS OWN PROCESS, AND SAVED FROM PERJURY, &c., &c.

THERE was a greedy avaricious lawyer, or law agent, in this city about 50 years ago, whose name we need not give, but for the sake of continuity, we may call him by the name of Mr. Alexander M'Whapple, and his client by the name of Mr. Boyd M'Crocket—the latter a genuine character in the *grain* trade, which some yet in the city may remember. Mr. M'Whapple cared for no human being in the world but himself. He had a heart of adamant, and a face of effrontery. He was no great shakes of a lawyer, rather a stupid one at best ; but he could go through any piece of business in a ram-stam way, if it brought to him “sax and aught pence” (six shillings and eight pence sterling). He booked every soul that waited on him for three shillings and fourpence—no matter how trivial the conversation—and if he once got any good client in his fangs, he stuck to him like a horse-leech, till he had sucked nearly all the blood or means out of him. It is a good thing in the legal profession to have an honest client by the hand. It is a bad, a very dangerous thing to have an avaricious or voracious

agent in the shape, still worse, of a greedy ugly *shark*, ready to devour you without compunction, in place of the amiable, upright, decent man advising and guarding you with safety and comfort. We have seen the effects of these things in a vast variety of ways—sometimes leading to the happiness of families—sometimes leading to their utter and absolute destruction. In the instance we have in view, we remember of seeing one remarkable account of the agent alluded to, in which, after running up every item he could possibly invent, he modestly charged the heirs of a *deceased* client, whom he well knew had left plenty of money, with the following items: “To incidents in the course of the business, £10 10s. To trouble and *great anxiety of mind* on my part during the progress of said business, £52 10s. Sum total of law charges, £453 6s. 8d.”

He was, in short, one of the greediest dogs of the profession, and he held his head very high at one time ; but his cupidity overthrew him at last, and his demise led no one to lament him.

One of his early clients, Mr. McCrocket aforesaid, had the misfortune to be burned out of his premises in Virginia Street ; and all his books and papers were supposed or believed to have been destroyed in consequence. Every one felt sympathy for Mr. McCrocket. He was partly covered by insurance, but in order to get matters amicably and honourably adjusted with the Insurance Office (always the best policy in such circumstances), he deemed it advisable to go past his old voracious lawyer, Mr. M'Whapple, and rather to be advised by the agents of the Insurance Office itself. We are glad here to take the opportunity of saying, that most of the insurance agents of this city, at this day, are honourable men ; but it may

be reserved to us to give some striking and startling reminiscences of others of them, at another time, which involved us in greater risk than was ever encountered by any other person in England, Ireland, or Scotland put together ; and that, surely, is saying a great deal ; but we shall prove it beyond the shadow of a doubt, and perhaps to the astonishment of our younger readers.

For let those cavil at these Reminiscences who may, we shall, if spared, put our finger, at another time, on a page of the London and Glasgow Insurance history in which we played a prominent part, not surpassed by any human being in this city, living or dead, whereby we demolished some combinations of the most gigantic fraud, and saved hundreds of people, and not a few happy families, from utter ruin, desolation, and woe. We wish we could write the history of others in Glasgow as well as our own, but we must pass by this for the present.

The circumstance that Mr. M'Crocket had abandoned his agent, Mr. M'Whapple, to manage with the insurance agent himself, threw Mr. M'Whapple into mighty dudgeon. He, of course, felt disappointed that it deprived him of a good many six-and-eightpennies in uplifting the insurance policies. So nursing his wrath to keep it warm, he soon rendered his legal account to Mr. M'Crocket, and demanded immediate payment thereof, amounting to upwards of £40 sterling.

Mr. M'Crocket, on looking at these accounts, became convinced that he had paid to Mr. M'Whapple, some time previously, £25, which had not been credited, but for which he had obtained Mr. M'Whapple's own holograph and stamped receipt at the time ; and, therefore, that he could only be owing, on these accounts, a balance of £15 ;

while if the accounts were *audited*, or properly adjusted according to the legal table of rates, it might be found that Mr. M'Whapple had already been most handsomely paid for all his trouble in Mr. M'Crocket's business. The lawyer stormed at this. He denied any such payment. He, however, under his own sleeve, knew very well that *all* Mr. M'Crocket's books, papers, and vouchers were supposed to have been burned to the ground, covered with ashes; and he averred that his accounts were *moderately* charged, and justly due; and that if full payment was not made within three days, Mr. M'Crocket, the grain merchant, might just blame himself for the consequences.

This threat *nettled* Mr. M'Crocket, and he paid no attention to it at the moment;—but sure enough, after the lapse of the three days, the old greedy, avaricious, and disappointed agent served him with a summons before the Magistrates of Glasgow, concluding for the whole amount, with interest and expenses. The summons was *maliciously* executed against him, by the beagles of the law, while he was standing in the old Tontine Coffee-Room, on Wednesday, bargaining with his customers for loads of oats coming from Ireland in *schooners*, as they were called, to the Broomielaw; and it rather staggered his credit with them at the time, for it was rare to see *beagles*, on any pretence, entering the old Exchange Coffee-Rooms, with writs in their hands, for any of its subscribers. He pocketed the affront as well as he was able; but when he went to old Robin Carrick's Ship Bank on the following day to draw out some of his own money, he was horrified to learn that he could not draw a sixpence, because the whole of his money had been *arrested* under M'Whapple's summons. This was more than flesh and blood could stand, but Mr. M'Crocket was a cool and

judicious man. He disdained to go near his late law agent, but now inveterate enemy, who had so stabbed him ; but he went to other most excellent and renowned agents in this city, whose firm still exists, with younger adjuncts to their names, and he told his artless story, and how he had been so malignantly and shamefully treated by the *scamp* who formerly had enjoyed his agency. They soon got a “ bond of caution ” prepared for him, and the *arrestments* removed ; but they told him most frankly that if he did not produce the receipt for the £25 he said he had paid to Mr. M'Whapple—and which they believed from his own word he had done—he would assuredly be cast in the suit with expenses ; and all, therefore, they could do for him was to get the accounts submitted to the proper auditor, as to whether they were to be charged in conformity with the legal table of fees or not.

The averments on both sides in that process, which soon became a keen one, were curious and remarkable. We shall give a short specimen of them as follows :—The defence for Mr. McCrocket was extremely short and simple, viz., that “ Payment of £25 had been already made to the pursuer, and a receipt granted by him, but lost ; and craving for a remit to the auditor to tax the whole accounts.” The pursuer, in his replies, broke out by saying that “ The averment of the payment of the £25 was a sheer falsehood, a desperate and ill-advised invention to evade the payment of a just debt ; and that if the defender has now the base ingratitude (*sic orig.*) to ask the pursuer's just and reasonable account to be remitted to the auditor for taxation, then that he (the pursuer) must insist for leave to substitute a fresh account, increasing his charges to the proper top of the table of fees ; and then, when that was done, the bare-faced defender would rue the day he

took away his pitiful agency from the pursuer, who had always served him *with the greatest fidelity and despatch.*"

In the rejoinder, in the shape of *duples* thereunto, (for that was the legal phraseology in those days), and written, be it observed, on stamped paper of half-a-crown and one shilling and fourpence per page, the defender retorted by saying that "He was unfortunately too long in the pursuer's avaricious and unconscionable hands with his agency; that he (the pursuer) was well known to be a greedy and deceitful man, and that it was most dishonest of him, the said pursuer, to deny the said payment of £25 to account; because, although his papers and vouchers were unfortunately burned, the defender could prove by his cash-keeper that the said payment of £25 was made to the pursuer on the day mentioned in the defence, out of a sum which he had drawn from his bankers, and entered in their books."

Mr. Reddie was at first rather puzzled with these averments, but he saw his course clearly at last. He had doubts whether he should allow the pursuer to withdraw his account libelled on, and substitute it for another to be higher charged. He had also doubts as to whether he should allow the defender any proof, by his cash-keeper or bankers, of the payment of the £25 in the way stated. On the motion, however, of the defender, the pursuer was ordained to produce his own books, and in particular, his cash book, (which had not been burned), for the examination of the Court. He tried to evade this order, but it would not do. Mr. Reddie peremptorily ordained him to produce them, and he did produce them with evident reluctance; and when the sheets of some of them were narrowly looked at, applicable to the time the £25 was

alleged by the defender to have been made, all as above stated, it was easily seen and discovered that there had been various *erasures* upon them at that particular point ; nevertheless, nothing could be clearly instructed therefrom about the actual payment, suspicious as the circumstances now appeared for the arrogant pursuer.

After advising a huge variety of written pleadings, *pro* and *con*, Mr. Reddie decided that the payment of the £25 in question could only be proved *scripto vel juremento*—that is, by the writ or oath of the pursuer.

This was considered to be tantamount to a decision in favour of the pursuer. He chuckled over it, whilst the honest defender felt it very keenly. He did not care so much about the £25, or even the £40 concluded for; but he felt the *affront* of the summons and the arrestment, in the way we have already stated. His respectable agents now told him that his case was perfectly hopeless ; that he must just succumb to it, whether justly or no, because the rigid rule of law was, that payments denied could only be proved by the writ or oath of the party himself so denying them, and a good rule of law we must say that is, with some exceptions.

“ Very well,” said M‘Crocket to his respected agents, “ I‘ll submit, but not without some new effort against the scamp. Egad, I‘ll have his OATH, cost what it may.” So he enjoined his agents to let him know timeously when Mr. M‘Whapple would appear to take the oath. They promised to do so. Meanwhile Mr. M‘Crocket searched, and he better searched amongst the scattered dribblets of his supposed burned letters, papers, and vouchers, and to his own astonishment, but perfect delight, he actually discovered the *singed* receipt, under the very hand of his malignant agent, for the payment in question. He ran

with it to his new agents, but found the active one had gone to Edinburgh to attend a consultation on a most important cause, and would not be back to Glasgow till the following evening by the 10 o'clock coach. This leads us, before we dispose of the Glasgow case, to tell the following more distinguished story of the Edinburgh case, with other parties.

Old Mr. David Todd of Springfield, the father of Mr. Charles Todd, who established the firm of Todd and Higginbottom, had a most important case in the Court of Session. John Clerk and James Moncrieff were his senior counsel, and Andrew Rutherfurd, then a very young man, but afterwards a most brilliant advocate, and became Lord-Advocate of Scotland, was the *junior* counsel. Mr. Clerk himself had fixed a consultation to take place in his own house in Piccadilly Place, we think it was, one evening at seven o'clock, a day or two preceding the debate of the case before the Judges, in order that the counsel might agree, and be well and ripely advised on their line of argument. Mr. Clerk, however, in the multiplicity of his business, had entirely forgot this particular engagement ; but to make cock-sure of him, one of Messrs. Gibson, Christie, and Wardlaw's clerks—the agents in the case—waited on him a few minutes before seven o'clock, to lay before him a great heap of books and papers necessary for the approaching consultation. “ God bless me ! ” says Clerk, “ I've forgotten this consultation altogether. I've been sitting up all night on that d—d Dalrymple case, and I've been badgered all day on that infernal *press-gang* case from Greenock, of Messrs. Hunter, Forsyth, & Co.—what can I do ? I'm sleepy and nearly exhausted, and I have not been able to read one single word of these papers. George,” said he to his clerk, “ will ye fetch me

another mouthful of that delicious claret?" which the ready clerk at once did. That clerk, by the bye, wrote a beautiful hand, greatly admired, as many of Mr. Clerk's papers may testify to this day. But the young gentleman from Messrs. Gibson, Christie, & Wardlaw's office was rather confounded and amazed at this exhibition on the part of the learned and venerable advocate, for he had gone to announce to him that the principal client in the case, viz., Mr. David Todd of Glasgow, with some of his friends and agents, were coming through from Glasgow that evening to attend the special and important consultation.

The outer-door bell of Picardy Place soon rang, and entered accordingly Mr. Todd himself, with Mr. Alex. M'Gregor of Kernock and Mr. Æneas Morrison, the Glasgow agents, accompanied by Mr. Andrew Rutherford, the junior counsel, and others. It was, indeed, at first a most ludicrous, but it ultimately proved to be a most important consultation. "Come awa'," said Mr. Clerk to his old clerk and crony, Mr. Æneas Morrison, whom he instantly recognised ;—"Come awa, *Pious Æneas*; dear *Pious Æneas*," cordially shaking him by the hand, "sit ye doon on the seat there, and see my pretty dogs and cats, the like of which you never saw since Brodie's trial ;" and the brutes sprang to their master's knees, and leaped on his shoulders, doing all manner of antics at his bidding. Old Mr. Todd, the client, stood for some minutes perfectly amazed. "Is this," he muttered, "the mighty consultation, to come from Glasgow to Edinburgh in the Mail Coach to speak about dogs and cats, instead of my important business ?"

Clerk, eyeing him through his uplifted spectacles, said, "'Deed, Mr. Todd, ye may say so ; but let me tell you, be-

fore commencing with business this evening, that this case of yours is one of the most important I have had for many a long day. I declare," continued he with the utmost gravity, "I could scarcely sleep a wink about it all last night; so come *furrit*, Mr. Andrew (addressing Rutherford, the junior counsel); sit ye doon there at that side o' the table, and I'll sit directly opposite you to take notes carefully just as ye go along; and you'll just begin to give me articulately, concisely, and distinctly *your* views of the case from the beginning to the middle, and the end; and I'll may-be interrupt you with a word or two of observation as you proceed. Dear Andrew, your ruffles, I see, are stickin' out! Mend the pen and commence."

This pleased Mr. Todd mightily, and he began to stroke the dogs and the cats himself, seeing that their owner was now apparently so intensely engaged with his business, and whispering some words of comfort to the junior counsel. But the sober and sedate *agents* saw how the land lay pretty well. They had all the satisfaction very soon afterwards of hearing Mr. Clerk making the most cogent and masterly speech in favour of his client, and of gaining his case, too, with flying colours. We could give many other amusing *consultations* in Edinburgh with Mr. Clerk, but this is not the place for doing so. We therefore proceed to finish the Glasgow case on which we had entered a few minutes ago, begging pardon for the above interludes; but when they come rattling into our heads, we cannot resist our pens in noting them bluntly down.

Mr. McCrocket, not finding his agent at the critical period above referred to,—luckily perhaps for himself it was so, else the amazing scene we are about to describe would not probably have occurred at all, but been huddled up by some means or other. He had, therefore, time to

cogitate about the important discovery he had made with the receipt, and the effects thereof on the wicked process raised against him ; and, therefore, he quietly resolved to step down to the Burgh Court himself next forenoon in the hour of cause; to keep the important receipt quietly in his own pocket, and to say not a word to his agent about it till he saw whether Mr. M'Whapple really appeared to take the oath. Mr. M'Whapple was already there, looking daggers at his old client ; and that client almost began to spit upon him. Little did the pursuer think of what was then brewing for him. The agents and parties were now all present face to face.

Mr. Robert Thomson, the second Town-Clerk under Mr. Reddie, before whom the oath behoved to be taken—and a most amiable and worthy man he was—had taken his seat in the upper chamber fronting the Jail, now converted into the Sheriffs' Small Debt Court. The huge process, for it was now one of some considerable bulk, was placed before him. He untied the strings of it, took out the interlocutor sheet, read the reference to oath, and folded the margin of a sheet of stamped paper for his clerk, Mr. James Simpson, lately the extractor of the Burgh Court of Glasgow, desiring him to be ready to write down the despatch.

"Are you really going to swear, sir ?" asked the defender at the attending pursuer.

"Yes, sir," he replied, "I have come here, you impudent fellow, for that purpose."

"*You scoundrel !*" retorted the defender.

This sally was only the precursor of what followed. It threw the Court into amazement ; and the defender's own agent interposed, and insisted that Mr. McCrocket should keep quiet, and use no more of such violent language.

The shaking pursuer declared that, "Besides the present action, he would instantly raise another one against him,—an action of damages for the slanderous expressions he had just used in Court."

"Will you, indeed?" said Mr. McCrocket, smiling at the pursuer with the deepest irony.

Silence being at last obtained, the Town-Clerk arose from his seat with the utmost dignity. "Hold up your hand," said he to Mr. M'Whapple, the pursuer; "hold up your hand, please, and repeat after me the words of the oath, 'I swear by Almighty God'"—"I swear by Almighty God," "As I shall answer ——"

At that instant the defender sprang upon the pursuer like an enraged tiger, and clutched him by the neck of his coat. "You infernal scoundrel," he exclaimed, "I'll not allow you to PERJURE yourself. Is that not your writing? (producing the lost receipt.) Is not that, sir, your holograph stamped receipt? Deny it if you dare!" The amazed audience were petrified. On the sudden stunning blow being given, the Town-Clerk sprang from his chair, and rang the alarm-bell for the town-officers, some of whom were always waiting in their *howff* beneath. Mr. Richard Henderson, the then Criminal Town-Clerk, who attended to all the criminal business, hirpled up, with his wooden leg, from the chambers below to the chambers above, to see what was wrong. "Murder, murder!" was crying from old Mr. John Fisher, the extractor, in his room at the head of the stairs;—"Blood and battery in the Council Chamber!" All connected with the establishment were aroused and alarmed.

Wiping his bloody mouth with his handkerchief, for he had received a severe blow, the now ghastly pursuer stood trembling.

The defender, much excited, but in bold accents, declared "Hand me over to Justice if you please. I have come here to demand Justice,—to vindicate Truth, and to avenge myself on a most unrighteous cause brought against me. That man (pointing to the now miserable pursuer) would have *perjured* himself, but for the blow I have given him!" Turning now to his own bewildered agent, he calmly said, "Now, my dear sir, I place in your hands this document (viz., the receipt); take care of it, and you may do what next with this process you please. I hope I have given the finishing stroke to it this day, in presence of these witnesses!"

The now literally disgraced and discomfited pursuer slunk away, of course, without finishing the oath, or swallowing the remaining portions of it,—his mouth and nose still bleeding. He felt, we dare say, in other respects, as if he had been put into a blaze of devouring fire; but in attempting to bolster up some excuse or other for himself, he had the temerity to insinuate to the defender's agent, that he "Would yet punish him for the assault."

"You had better," said the defender's agent, bristling up to him, "not attempt to do anything of the kind. You deserve what you have got, and ought to be exceedingly thankful to my client for dealing that blow just in the very nick of time, because if the defender had remained quiet for a few minutes longer, and allowed you (the pursuer) to take the oath, denying the payment now so conclusively established, and subscribed the oath judicially in presence of the Town-Clerk, nothing could have saved you (the pursuer) from the pains of perjury, under an indictment at the instance of the Lord-Advocate; and you might have got (he added) a 'free passage across the herring pond,'"—meaning transportation to Botany Bay!

Suffice it to say, that within a few hours afterwards, the hitherto bold and resolute pursuer deemed it advisable to abandon his action, and to withdraw it from further review. He paid every plack and penny of the defender's expenses, and he signed a letter of apology to him about the arrestments to show to the bank people. Nor was that all, the defender would not let him off until he paid down £25, to be distributed amongst the charitable institutions of the city. Thus the pursuer was caught in his own trap. The biter was himself bit. This case finished him in his own profession in Glasgow. He could never hold up his head in that Court again. We narrate the case to deduce the moral, that the greatest cupidity, cunning, and deception can sometimes be overthrown from the weapons of its own armoury; and a late outlawry of a professional man in the Circuit Court of Justiciary in Glasgow, to which we need not further allude in this place, speaks trumpet-tongued on that theme.

## CHAPTER XXIX.

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### SOME PASSAGES IN GLASGOW ABOUT THE FIRST GREAT REFORM BILL OF 1831 AND 1832.

THE excitement in Glasgow, if excitement it can be called, for the forthcoming Reform Bill of the year 1866, is no more to be compared to the excitement or enthusiasm entertained for the first great Reform Bill in the year 1831, than a lucifer match is to the rays of the brilliant sun.

Every soul in these kingdoms in 1831 was on the tip-toe of excitement ; and we beg here again to repeat our most perfect conviction, judging from Glasgow and the scenes we personally saw enacted in it, that nine-tenths of the citizens able to bear arms, would have risked their lives for it in any struggle that might have ensued. It is acknowledged by the oldest and most experienced judges and observers of public opinion, that if that Reform Bill of Earl Grey had not happily been carried, a *Revolution* in these kingdoms would have ensued, with what results no one can tell.

It is, indeed, impossible for us adequately to describe the strong—the almost unanimous opinion in Glasgow on the subject. Suffice it to say, that many black banners, ominous of the result, were hoisted when the Bill was

supposed at one time to be in jeopardy, with flags having the mottos—"Our souls are in arms," "Forward! let us do or die!"

It redounds greatly to the credit of the citizens during all that exciting period, that they never quarrelled amongst themselves about the merits of the Bill, but uniformly hailed it in sunshine or in storm with the liveliest satisfaction. Had that not been so, Glasgow would have been plunged in a most deplorable state of distraction—perhaps of civil war—the greatest curse to any country.

After the calmest observation, mellowed by the lapse of so many years, perhaps our readers will allow us, ere we close these Reminiscences, to present them with the following very brief account of the progress of that Bill, and its reception in Glasgow, some instances of which we have already given; but what follows may clinch the whole ere we introduce them "into green fields and pastures new."

In point of history, we may remark, as we think we have already stated, that Lord John Russell, in the administration of Earl Grey, introduced the Bill on 1st March, 1831. Some cantrips took place about it, and on the 23rd of April, the King dissolved Parliament. On the 15th of June, same year, the King opened Parliament in person, recommending Lords and Commons to take the Reform Bill "into their earliest and most attentive consideration." On the 24th, Lord John Russell again brought it forward in the House of Commons, obviously under the King's sanction. The King's name was then a tower of strength. On the 8th of September, King William the Fourth and his Queen Adelaide, were crowned in Westminster Abbey. On Thursday morning, the 22nd of that month, at half-past five o'clock, after

many delays and many sharp and thrilling discussions in the House of Commons, that House divided as follows:—

For the Bill, . . . . .	345
Against it, . . . . .	236
Majority for the Bill, . . . . .	109

The House resounded with loud and long continued cheers, and at five o'clock same afternoon, Lord John Russell appeared in his place, and, accompanied by the Speaker and 300 members of the House, proceeded to the House of Lords, and addressed their Lordships in the following concise, but most important words:—

“MY LORDS,—On behalf of the Commons of England, I here present to your Lordships a bill which they have just passed to amend the Representation of the people in the Commons House of Parliament, and I pray your Lordships to concur in the same.”

That Bill was a bitter dose to their Lordships, because in truth, many of them held the representation in their own hands, or could return to the House of Commons any of their own nominees they thought fit. This we have commented on already. The fact was proved and notorious ; it was, indeed, so flagrant at the time as to be incapable of contradiction. But that was just one of the reasons why the intelligent and middle classes of the realm demanded the reform of the representation. On the 7th of October, 1831, the House of Lords rejected the Bill by a majority of 199 to 158—majority for the rejection, 41.

This alarmed the whole kingdom. All London was in commotion. The bells of that vast city were muffled, and tolled with dismay. The Lord Mayor of London instantly summoned a meeting of the common Council of

London to be held on Saturday evening, to address the King, "as the destinies of the Empire were then entirely in his hands," to exercise the Royal Prerogative by creating new Peers to pass the Bill, and thereby to avert the impending Revolution!

The London *Times* spoke out in the following strain:—

"The debate is over—the decision is made. May it not be the beginning of the end! Who can help the exclamation, What is this fearful crisis to result in? Is any man on earth prepared to conjecture what will take place in England before this day week?

It is now half-past seven o'clock on Saturday morning (continues the *Times* of 10th October, 1831, from which we quote) that we make these remarks. The death wound to the Constitution of the country—to the peoples' rights—to a free representation in Parliament, has been aimed—has been struck; but we still feel confident that National Liberty will not yet expire under the wound. We still hope that there subsists in the hearts of Englishmen a strength and a resolution which will outlive the blow. There is no fainting—no irresolution; but, on the contrary, *unbounded determination* on the part of the people to renew *their* exertions with redoubled energy."

Bravo, old Thunderer! It is refreshing even now to turn up such paragraphs from its pages, more than 30 years ago.

Nor is it too much for us to state that we were charged with some of the electric wires in Glasgow, at that period ready to burst into action, yea, to *fight* under the banners of the King for the Reform Bill. The nation up to that date never had the least *doubt* of His Majesty, but his Queen became alarmed, and the King himself subsequently faltered.

We published *in black letters* the astounding news of the defeat of the Reform Bill in the House of Lords, as soon as it reached Glasgow, which it did on the *afternoon* of Monday, the 10th of October, 1831. Dr. Clelland, in

his "Annals of Glasgow," states the following as a great fact, namely, that when the news of the Battle of Waterloo reached this city, on the 26th of June, 1815, 2122 copies of the *Herald* was published. Pooh! What is it now? Why, when we published the defeat of the Reform Bill, in the *Old Loyal Reformers' Gazette*, on the occasion above specified, it amounted to a circulation of 30,000 copies! Nor is it out of place, we hope, to remark, that we had other most serious and important duties to perform at that period, in the well-known, onerous, and responsible situation we held, as Secretary of the Glasgow Political Union, with its thousands upon thousands of most devoted and courageous members, determined to have the Bill, and in that view animated by one common desire for the welfare and salvation of their country. We shall only give, and we do it with some pride, the following letter, which we then had the honour to receive, at that anxious and exciting period, from Mr. Hume, M.P. :—

"Bryanstone Square,  
London, 7th October, 1831.

"MY DEAR SIR,—We are told, with some assurance, that the Reform Bill will be rejected *this evening* by the House of Lords, by a majority of fifteen or twenty, which, however, I will not believe until that event shall actually take place.

I hope you, and all sincere friends of Reform, will use your influence with the Political Unions and the people, to conduct themselves with moderation and firmness at this disappointment, and, I must add, thoughtless insult from the Peers.

Every Reformer must support His Majesty's Ministers to preserve peace and order, that they may have time to adopt the necessary measures to secure the early accomplishment of the hopes of the people; and I think we may rest satisfied with the declaration of Lord Grey in the House of Lords, *that he never will be a party to a less measure of Reform*. The means are simple and easy, if His Majesty continues, as I believe he does, *firm* to his purpose of giving to his

people an efficient Reform ; and the people must have a little longer patience with those who persevere in refusing to restore their just and constitutional rights.

In the meantime, I trust every friend of this country will redouble his efforts to obtain their constitutional rights, as the best means (and, as I expect, *certain means*) of averting that violence and revolution which otherwise must, I fear, be the result and alternative of a disappointed people, in their efforts to relieve themselves from the oligarchical thraldom and oppression under which they have so long and so patiently suffered.

The lower classes, and the operatives, are the parties most interested in preserving peace and order ; and the advice and example of the Political Unions may be the means of preventing any breach of either.

My anxiety to see the Reform effected, and my fears for any occurrence that might prevent its success, must be my excuse for troubling you at the present time.

I am, my dear sir,

Your obdt. servant,

(Signed)

JOSEPH HUME.

To Mr. Peter Mackenzie,  
Editor of the *Loyal Reformers' Gazette*,  
Glasgow."

We published that letter at the time, adding to it the following words :—" We most earnestly and anxiously trust that the excellent and seasonable advice of Mr. Hume, which supersedes the necessity of any other observation from us at present, will be implicitly attended to by every well-wisher of his country at this critical and momentous period. It is impossible for us to give any idea of the state of excitement in London at the period the post left. Public meetings will be immediately called in every town and village in the empire. Reformers ! depend upon it, the Borough-mongers will only have a very short-lived triumph. Adopt our motto—' Be FIRM, TRUE, and UNITED '—and we must and shall prevail. The

day-star of liberty will yet shine brighter and brighter! God save the King."

We quote these passages from our earliest works at that most important juncture, when the country was on the very verge of revolution, to dispel the idea which many of the old inveterate Tories circulated about us, and which some of their descendants may do still, that we were nothing but red-hot Republicans and levellers; whereas, let others think what they please, we have, all our life long, been embued with feelings of the most devout *Loyalty* to the Constitutional Sovereign of these realms, and to the righteous laws and principles of the glorious British Constitution. We defy any one to show, out of all the thousands upon thousands of our pages of writings, that we ever pampered to base-born guilt, or struck a wilful blow at any innocent person whatever. If, on looking back, we have not discharged our duty aright—for who is faultless on this earth?—or if we have not discharged it in the way perhaps we could now wish to do it in many things, it is, on the whole, a proud recompense for us to know that our own conscience does not upbraid us in any degree, but, on the contrary, is perfectly tranquil with us on that score. Let others who doubt this throw, if they please, the first stone. Many stones, indeed, in the shape of sharp and poisoned missiles, have been thrown at us;—many base and worthless falsehoods, we are aware, have been propagated against us in the discharge of our public duties—which duties were sometimes arduous and painful enough; but we defy the Devil and all his Legions to bring any charge of corruption against us, or to show that in any one instance we ever deviated in the smallest iota from the clear path of rectitude, at the noble shrine of public duty. We are rapidly bringing these Reminiscences

to a close with clean hands ; and, thank God, in a manner which, we are persuaded, can leave no stain on our personal honour or future repute, should these ever be cared for by any human being. We glory in the fact that we are now one of the surviving veteran Reformers of 1831, and our courage, we shall say, in that matter, or in many other important matters, was not quenched, but rather strengthened by the early persecution of Thomas Muir, or by the innocent blood of other men, call them misguided if you will.

Hush! hush ! some may say, on these deplorable events of bygone days ; and truly we have often sighed over them in the silent watches of the night. Pardon us, kind readers, for here giving the following lines, which Muir's father posted on his mansion-house of Huntershill :—

“Doomed from this mansion and his native land  
To spend his days of gay and sprightly youth,  
And all for sowing with a liberal hand  
The seeds of that seditious libel—TRUTH.”

Poor Hardie's widowed mother had the following lines in one of the small windows of her dwelling-house in the High Street, on the first illumination for the Reform Bill, if we have not already somewhere repeated them, but they are genuine :—

“Britons ! rejoice, Reform is won !  
But 'twas the cause  
Lost me my son !”

Significant, but important lines certainly, to those who comprehend the circumstances relating to them. If, as has been already remarked in these and other pages, the blood of martyrs has been the seed of the church, then we need have no delicacy in avowing, that the sufferings

and the miraculous and heroic life of Thomas Muir and his faithful band of compatriots, struggling for Reform in the year 1793, inspired us with the loftiest conception in our earliest days in their favour, amounting almost, we shall say, to something like chivalry and devotion to their memories ; and therefore it is that we go on to narrate the remarkable fate of that great Reform Bill of 1831-32, which, in spite of fierce denunciation, storms, and trials about it, has under Providence,—the best and greatest Protector of all,—elevated this country to a degree of splendour, solidity, and happiness, never previously enjoyed by any other nation on earth ; no, not excepting the old Roman Empire.

If Peace has her victories as well as War, we might humbly raise the observation without reproach, that the surviving veterans who fought for the Reform Bill of 1831 especially, and ultimately carried it triumphantly, bequeathing its benefits, such as they are, to the people of the present day, should have medals placed upon their breasts as worthily, if not more deservedly, as the medals awarded to our brave soldiers in the Russian Campaign at the Crimea. And sinking our own poor services in that respect, which some may think we are dwelling upon too largely, we must declare that if we could reverse the order of human life, we would gladly become the right merry drummer boy still to our old Reforming fathers, or brothers in arms, could we see them enlisted again with their once lively faces in the same Loyal Reform Regiment. But that is impossible. The ranks are broken up. The best and the bravest of them are already levelled with the dust.

And so it will be, as another and another Reform Bill comes round in the process of years. Surely there should

be nothing alarming in the word Reform! It is, we rather think, a goodly word, if well applied. The very best of Institutions, even the very humblest of dwellings, need a scrubbing out occasionally ; yea, the oldest are not the worse of getting new improved windows to behold the noble progress of science, and the better to appreciate the happiness of the whole human family. There are limits, no doubt, in the vulgar acceptation of the term, “to steps and to stairs ;” but the panoply of Heaven ought ever to be viewed with no stinted drawbacks, but rather in the loftiest spirit ; and when thus properly viewed, it is the best Conductor for the Lightning in the clouds or the storms below—the best Pilot in all storms—the safest porch in all vicissitudes, whether for the happiness of Queen, Lords, or Commons.

We go on to observe that William the Fourth, in consequence of the rejection of the Reform Bill by the House of Lords, broke up both Houses of Parliament, as it was his undoubted privilege to do, when opposed to each other, on the 25th of October, 1831. In other words, he *prorogued* the Parliament to the 6th of December same year, thereby giving both Houses an opportunity of reconsidering their measures, and adjusting their great and momentous decision. On the 6th of December the King again opened Parliament in person. Meanwhile, most alarming riots, in consequence of the defeat of the Bill by the Lords, had taken place in Bristol and other places ; and one was on the eve of taking place in Glasgow, which we shall refer to shortly afterwards.

The King, in his opening address to the Parliament, declared *inter alia* as follows :—“I feel it to be my duty, in the *first* place, to recommend to your careful consideration the measures which will be again proposed to you

for a Reform in the Commons House of Parliament. A speedy and satisfactory settlement of this question," added His Majesty, in his gracious speech, "becomes daily of more pressing importance *to the security of the State, and to the contentment and welfare of my people.*" Ominous words, certainly, these were from Royal lips !

Well, the House of Commons, on the 12th of December, allowed the Bill to be again introduced by Lord John Russell, and read for the first time without any division. On the 16th the second reading was carried by a majority of 324 to 168, which induced us to write the lines—

"By equal numbers was the strife begun,  
When first they met an UNIT turned the scale,  
But now the victors are as two to one!  
Great is the truth, and always shall prevail!"

And, finally, the third reading was carried in the House of Commons at five o'clock of the morning of the 22nd of March, 1832, with the following result :—

For the third reading, . . . . .	355
Against it, . . . . .	239
Majority for the Bill, . . . . .	116

It was speedily carried up to the House of Lords, and now on the House of Lords all eyes were intently directed. It was confidently believed that the King would create new Peers rather than suffer the Bill to be again thwarted by their Lordships. But on this occasion the Lords divided in favour of the second reading of the Bill, and committed it to Committee as follows :—

For the second reading, . . . . .	184
Against it, . . . . .	175
Majority, . . . . .	9

Yet when the Bill got into Committee it was strangled by a majority of 35 of their Lordships, on a most material clause. It was understood that the King, in contradiction to his previous promises, had now *refused* to create new Peers to harmonize both Houses of Parliament. Therefore, Earl Grey went to the Palace and tendered the resignation of his Reform Ministers to the King. His Majesty, to the astonishment of every Reformer in the Empire, accepted of these resignations, and sent for the Duke of Wellington, who, as our readers may remember, was vehemently opposed to all Reform.

This raised the indignation of the people, and set the nation itself almost in a blaze. We then in our humble sphere concocted and published the following lines, which, if the tide had not happily turned, might have been construed, as lesser things had already been, into a charge of High Treason :—

“ Time-honoured Lords, you’ve gained the day,  
We may not yet your power gainsay,  
But ere stern Time’s revolving stroke  
Another matin-hour hath broke  
‘ The time will be ! ’—that time is ours !  
Then farewell to your Lordships’ powers.

Experiments are dangerous things,  
Lords now must learn as well as Kings ;  
‘ Time hath been, that when the brains were out  
The man would die ’—be kicked about,—  
And now it but remains to show  
If Time or Tide will strike the blow.

‘ There is a tide in man’s affairs,’—  
There is a time when man forbears  
To turn that tide which fortune showers  
To his own good, to increase his powers ;  
But that time now hath long gone bye,  
And time and tide with vice will vie.

That time we've long been waiting for,  
Years eight, years ten, aye years a score;  
And since we've waited with patience strong,  
We still will wait—though not wait long.  
We'll wait on oars another tide,  
And then we'll o'er the waters ride!

'Time-honoured Lords,' your reign is o'er,  
We've almost reached the wished-for shore,  
The people's voice you've dared to shun,  
And now to all, 'tis ten to one  
If ever more you'll ride the seas  
Upon a safe or pleasant breeze.

'Time-honoured Lords,' those dangerous waves  
You've troubled now, may be your graves!  
The voice of God in anger rides  
O'er sea, and strong will drift the tides  
That oft hath set you on safe shore,  
To us, who've long your burdens bore.

The day is ours, let's use it well,  
Those sheets sweep safe that God's winds swell!"

If such was our rude, but ready poetry at the time—and we have dabbled in it often and more pleasantly since—yet we can glance back almost with something like proud satisfaction on the following plain words which we then wrote and published in our favourite paper:—

"Glasgow, Saturday Morning,  
12th May, 1832.

"REFORMERS OF GLASGOW.—We announce to you, with feelings which you may well understand, though it is impossible for us at this moment adequately to express them, taken as we are by surprise, that His Majesty's Ministers have been *defeated* in the House of Lords by a majority of 35, on a most important clause of the Reform Bill, and that the King has accepted their resignation! Earl Grey is, therefore, driven from his post. His Cabinet is at an end,—the Reform Bill is strangled!—and the question arises, Whether you shall be hereditary bondsmen or free?

We put that question to you in the plainest, but most direct form in which it can be put.

Shall twenty millions of bearded men tamely submit to have their just rights and inherent liberties denied them, by a mere handful of 35 hereditary Lords?

No, no!

The spirit of England will not sink into submission!

The spirit of Ireland will not sink into submission!

The spirit of Scotland will not sink into submission!

The House of Commons will do its duty.

But *if it should fail*, the PEOPLE of these kingdoms will do THEIR DUTY.

The arrival of the London Mails will be looked for by you, the Reformers of Glasgow, with the most intense anxiety, this afternoon. Every hour, every moment is pregnant with stirring events. A GREAT CRISIS is evidently at hand.

Reformers of Glasgow!—The Tories—the Anti-Reformers, may regain the ascendancy for a short-lived moment; but the brilliant star of Freedom can never be obscured by them. No, never! But if all should fail—if Anarchy should even overthrow us, we shall not despair. Yea, though society should be dissolved into its elements, and moral chaos overspread the land, we still believe that God-like Liberty, surmounting all, will change discord into order—divide light from darkness—bid man's free form arise once more erect, and cause a renovated world to spring from the confusion!

An Extraordinary Meeting of the Glasgow Political Union will be immediately held, and a Great Public Meeting will also be held on the Green of Glasgow this afternoon, at four o'clock. Reformers! Now, or NEVER!

(Signed)

PETER MACKENZIE."

"God save the Rights of Man!  
Give him a heart to scan  
    Blessings so dear!  
Let them be spread around  
Wherever man is found;  
And with the welcome sound  
    Ravish his ear!

God-like and great the strife ;—  
Life will indeed be life  
When we prevail !  
Death, in so just a cause,  
Crowns us with loud applause,  
And from tyrannic laws  
Bids us all hail !”

It was a vast meeting on the Green of Glasgow that Saturday afternoon. The like of it has never been seen or held since, and can never be, under the same circumstances again. Upwards of 70,000 determined and able-bodied men turned out with a very few hours' notice ; but we are sorry to remark, that in this emergency, this great peril, some of the leading Whigs and professors of Reform in Glasgow held aloof. They were well enough in holiday attire, but in front of the battle and the breeze they rather showed the white feather ; and this is always the case, more or less, in momentous times. We have seen fellows, like our great namesake of old, denying their principles when the cock crew. But what is worse, after the battle was won and the victory complete, we have seen many cowardly skulking deserters creeping out of their holes, and unblushingly coming forward to claim the reward. This is just an epitome of the world in many of its varied transactions. “We love the man,” said a great author, “that can smile in trouble, that can gather strength from distress, and grow brave by reflection. It is the business of little minds to shrink from duty ; but he whose heart is firm, and whose conscience approves his conduct, will pursue his principles unto death.”

On the occasion above referred to, we have much pleasure in stating that some of the men who had the greatest stake in this part of the empire—such, for example, as the then Sir John Maxwell of Polloc, and his son, the

late respected Baronet, with Robert Grahame of Whitehill, Chas. Tennant of St. Rollox, John Fleming of Claremont, William Dixon of Govan, Professor Mylne, and others—heroically came forward in their banners of genuine true blue, to risk their all, if necessary, in favour of Reform. And accordingly, an enthusiastic address was carried to His Majesty, beseeching His Majesty to recall Earl Grey to his counsels, and to take prompt and decisive measures to carry the Reform Bill in all its integrity.

We had, we confess, a very anxious and busy night of it in Glasgow, sitting up as secretary to the Political Union, writing and sending despatches to London, Manchester, Birmingham, and other places, letting the leaders of Reform in these places know the result of that great meeting in Glasgow, and the state of agitated feeling in this city, bordering, we again repeat, on actual revolution.

We shall not arrogate too much for that Glasgow meeting on Saturday, but we will make bold to say, that the King was apprised of it early on Tuesday morning, and on that same afternoon, and also on Wednesday, it is the undoubted fact that His Majesty sent for Earl Grey, and begged him to resume office. The Duke of Wellington perceiving the stern current of public feeling setting in against him, and any anti-Reform administration to conquer the country, made his bow and retired, and his Grace never afterwards arrayed himself against the Reform Bill.

We ought to have stated that serious riots had taken place at Bristol and other places about that time, and the affairs on the continent of Europe were in a most critical state. On the pretence of supporting the King of Holland, but really with a view of frustrating the cause of Reform at home, and hailing the Duke of Wellington back

to office, the Tories attempted to get up public meetings in this country, but were baffled. In this city they were signally baffled. They convened a meeting in the Black Bull Ball-Room, but they shut the doors and insolently refused to allow any one to enter who was thought to have a reform coat on his back or liberal principles in his breast. They desired a public emanation or address to go forth from the city of Glasgow in favour of their views; whereas, it was a secret hole and corner address intended for the few at the expense of the many. We remember the doors of the Black Bull were barricaded, and the anxious crowds outside were getting irritated. There was much combustible matter at that time in the city on both sides of politics, and a spark might then have set the whole in flames; but happily the Tories were quietly allowed to have it all their own way for themselves in the Black Bull, while the Reformers resolved to hold another *public meeting* in the Justiciary Hall, under the auspices of the Chief Magistrate of the city, which was accordingly held, and a great commotion it made, not only in Glasgow, but over Scotland. On this occasion the King was again addressed to continue his confidence in the Reform Administration of Earl Grey, and to pass the Bill for the welfare and contentment of his people. We are not ashamed to add here that we communicated directly with Earl Grey himself at that most critical period, and the following is one of the holograph letters we had the honour to receive from his Lordship, which we think we may here publish for the first time, without the least reproach and no dismay:—

“Downing Stret,  
London, December 5, 1832.

SIR,—I have had the honour of receiving your letters of the 28th ult. and 1st inst., for which I beg you will accept my best acknow-

ledgements ; yesterday's post also brought me a letter from the Lord Provost, with the accompanying address to His Majesty, from the citizens of Glasgow.

Nothing can be more highly gratifying to my colleagues and myself than this effectual support, at so important a moment, given by so important a body to the present Administration ; accompanied, as it has been, with the expressions of confidence and approbation which it will be our anxious endeavour to deserve.

To you, sir, personally, I beg to offer my warmest thanks for the kind and flattering manner in which this communication has been made.

I have the honour to remain,

Sir,

(Signed)      GREY.

To Peter Mackenzie, Esq.,  
Glasgow."

When, therefore, it became known that Earl Grey was reinstated in office, great was the joy of the people through these realms. And so when the bill was next submitted to the House of Lords, their Lordships—to their credit and undoubted safety, we shall say—were pleased, on the 4th of June, 1832, to allow it to be read a third time, and finally passed, by a majority of 106 to 22.

What a change ! What a happy *revolution* that was !

Illuminations took place in consequence, in all the most important towns and cities of the three kingdoms ; and although no such things are seen now-a-days—for the Great Event settled the business a nearly quarter of a century ago—yet we ought, in all humility, to bless the Almighty Ruler and Governor of the World for his great goodness and mercy ; and it is no small comfort to ourselves that we have been spared and privileged to narrate these events with unshaken fidelity.

“Unfold, Father Time ! thy long records unfold,  
Of noble achievements accomplished of old ;  
When men, by the standard of Liberty led,  
Undauntingly conquered, and cheerfully bled.

But know, ’midst the triumph these moments reveal,  
Their glories shall fade, and their lustre turn pale ;  
Yet seize *this* glad moment, and hail the decree  
That bids millions rejoice, and a Nation be Free !”

## CHAPTER XXX.

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### GLASGOW SENDING ITS FIRST TWO MEMBERS TO PARLIAMENT.

WHEN the great Reform Bill was passed, and Glasgow, for the first time in its history, became invested with the power of sending two representatives to Parliament, it may be interesting to our reader to know how many *freemen* then sprung into existence amongst us, under the name of Registered Electors. We can tell that their number, in the first year of the Reform Bill, exactly amounted to *seven thousand and twenty-four*; and of these we registered, with our own hand, at least *five hundred!* without charging them one farthing beyond the Town-Clerk's fees, which was half-a-crown on each enrolment schedule. Contrast those mighty numbers thus brought into existence for the first time, with that paltry list of *thirty-three*, which formerly ruled the city; and think further, we pray our readers, on this great and astonishing fact, viz., that these 7024 new registered electors in Glasgow, more than doubled the whole previous constituency in Scotland put together! Had not, therefore, Glasgow great reason to be proud? and well, surely, may we be excused for again repeating our own lines in this place:—

"See Glasgow under Earl Grey,  
From Glasgow under Castlereagh,  
Ha ! ha ! the differ o't!"

We could give a great many striking, original, and amusing anecdotes, jibes, parodies, and sketches from the depositories in our possession, connected with the first Glasgow Parliamentary Election after the passing of the Reform Bill, but we are afraid our readers think that we are nauseating them too much with politics already. We will, therefore, *skip* them over, especially when we know, and shall keep faith with our readers, that we have only a very little space left us to go and come upon with our readers, in the completion of these present labours. We are only vexing ourselves with the fear that we have, in their estimation, written too much already.

As a matter, however, of some historical interest connected with Glasgow, we may go on briefly to mention that *five* candidates came into the field seeking the honour of the city representation, in the first Reformed Parliament, viz., James Ewing, James Oswald, John Crawford, Sir Daniel K. Sandford, and John Douglas. We have copies of the original addresses of the whole of them, and some rich spicy criticisms touching the matter of them ; with resolutions, squibs, and pieces of poetry about them, which could fill a volume by itself. Our readers need not be afraid that we are going to bother them with those things at present. We come to the great day of the election itself, the first of its kind that ever occurred in this city.

What thrilling meetings ! What marvellous scenes were then enacted ! Of all the candidates, Mr. Douglas was most pliant in his promises. He had got a string of some thirty or forty questions, printed in the *Chronicle*

office, as essential for being put to the candidates *seriatim*, and the candidates were to *pledge* themselves accordingly. Some of these questions were perfectly preposterous, and intended for mere clap-trap in one interest. They were scattered to the winds by a most ludicrous scene, which happened in the Royal Exchange Rooms, a few days before the election. Mr. Douglas had arrived from the Gorbals, where he had swallowed *all* the pledges with the greatest complacency and self-satisfaction. He had no doubt whatever of his own election. He was sore upon the King, and worse upon the Queen (Adelaide), because it was well enough known at that time, that they had given “the cold shoulder,” if we may so speak, to the Reform Bill in its latter stages. “I tell you what, my dear Douglas,” said old Mr. Frederick Adamson, a most respectable merchant in Glasgow, but a great wag in the Royal Exchange, “I tell you what, John, with *all* your multifarious pledges, you have omitted *one*; which, if you take, in your capacious swallow, I’ll bet any money it will send you up to the very top of the poll, and no mistake.” “What is that? my dear Freddy,” said John, “and I’ll take it instantly, and with the greatest possible pleasure.” “Well then,” said Mr. Adamson, “if you now distinctly pledge yourself to murder the King, and banish the Queen to Germany, I se warrant you’ll get to the top of the poll above all the other candidates, to a dead certainty.” This strong, but strange sally, coming after some local pledges about the Inchbelly toll-bar, and other things in the neighbourhood of Glasgow, set many members of the Royal Exchange who heard it into a loud roar, at John’s expense. He could not, of course, take any such pledge; and the great stock of *pledges*, like other things occasionally on the Stock Exchange, fell at least

20 per cent. that afternoon in Glasgow, owing to the pointed sarcasm of Frederick Adamson with John Douglas, which his own ready wit could not parry.

On Monday the 17th of December, 1832, the *Public Hustings* for the first time were erected in the city of Glasgow, directly in front of the old Justiciary Hall at the Jail. The six Candidates had drawn lots for their position in the following order:—1st, Mr. Dixon; 2nd, Mr. Ewing; 3rd, Sir D. K. Sandford; 4th, Mr. Crawford; 5th, Mr. Oswald; 6th, Mr. Douglas. At 12 o'clock, the Sheriff, Wm. Rose Robinson, Esq., read the Election Writ to a most unexampled number, not fewer than 20,000 individuals.

Joseph Dixon, Esq., was proposed by James Smith, Esq., of Jordanhill, seconded by Thomas Edington, Esq.

James Ewing, Esq., was proposed by James Dennistoun, Esq., seconded by Wm. Dunn, Esq.

Sir D. K. Sandford was proposed by Wm. Dixon, Esq., of Govanhill, seconded by Wm. Bennet, Esq.

John Crawford, Esq., was proposed by Wm. Craig, Esq., seconded by Charles Tennant, Esq.

James Oswald, Esq., was proposed by Robert Grahame, Esq., of Whitehill, seconded by Walter Buchanan, Esq.

John Douglas, Esq., was proposed by Dr. Richard Millar, seconded by Wm. Kippen, Esq.

The Poll commenced at 9 o'clock on Tuesday morning, and ended at 4 o'clock on Wednesday afternoon, the 19th of December, 1832. There were *two* days of it at that time, which gave waverers and wanderers an opportunity to look about them. But the election is now limited to one day, from 8 in the morning till 4 of the afternoon—quite sufficient for all legitimate purposes.

## CLOSE OF THE POLL AT THE FIRST GLASGOW ELECTION.

THE following is the state of the Poll at the close of the first Glasgow Election, so remarkable for so many strange and unprecedented events :—

For Ewing,	.	.	.	.	3214
" Oswald,	.	.	.	.	2838
" Sandford,	.	.	.	.	2168
" Crawford,	.	.	.	.	1850
" Douglas,	.	.	.	.	1340
" Dixon,	.	.	.	.	995

We published a list of all the Electors, showing how they voted at the time. Of course there were some mistakes and errors in it, for the work was altogether new and unexampled. It has gone out of print, and might now be regarded as a curiosity. Certainly, we shall never see its like again.

## CHAPTER XXXI.

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### OUR OWN DARING DEEDS—THE EXPOSÉ OF THE SPY SYSTEM, &c.

YES! we say to this title “Our own daring deeds,” for sometimes they have been daring enough. The elections in Glasgow being thus over, whether righteously or no, we shall not here say ; we began, or rather we resumed our labours in searching out and bringing to light the accursed system of espionage, carried on in this city in former times, better known by the name of “The Spy System, including the exploits of Mr. Alex. Richmond, the notorious Government Spy of Sidmouth and Castlereagh, in the years 1819-20.” We published a small volume on the subject with that title, which created an immense sensation in the community by reason of some of its most extraordinary FACTS. That little volume is long since out of print. Had we done nothing else than the writing of it, we do not know but we might have deserved some niche in public favour; but somehow or other the Glasgow newspaper press ignored it by their solemn silence, the reason, we believe, being, that some of their best and wealthiest patrons were deeply implicated in it. Nevertheless, it was most carefully and handsomely reviewed

in *Tait's Edinburgh Magazine*, in the year 1833, by the pen of one of the most distinguished writers in the capital of Scotland; and that review led to one of the greatest victories, we take leave to say, that any political writer of the present century ever achieved, ending by a trial and the verdict of a special Jury in London, presided over by one of most venerable *Peers* of the House of Lords, still alive, the abridged details of which we may now give, with some surprise, if not interest, to our kind and attentive readers.

Pardon us for remarking, before we go further, that trifling circumstances, when first divulged, sometimes lead to the most marvellous results. Everybody in Glasgow *suspected* Mr. Richmond, the spy; many believed that he had obtained *blood-money* for hounding on poor Andrew M'Kinlay, under the Treasonable Oath, already spoken of in these Reminiscences; and for circumventing and butchering poor old Mr. James Wilson at Strathaven, with the bold and intrepid youths, Hardie and Baird at Stirling, whose trials we have also sketched out with fidelity in previous numbers of these Reminiscences. But still some tangible evidence was wanted of the fact that Richmond was the villain supposed to be, or that he had actually received his *wages of blood* from the hands of any of the constituted authorities of this city. He had *skulked*, or absconded from the city; but one evening, after some lapse of time, he returned to it, and in the twilight he went to the shop of Mr. James Duncan of Mosesfield, one of the most respectable booksellers and stationers in Glasgow, asking for "a ten shilling receipt stamp." Now, although Mr. Duncan dealt largely in stamps, he had not so high as a ten shilling one at that moment in his possession. Our readers must understand

that a ten shilling receipt stamp, in those days, was a rare commodity. It carried a sum of not less than £1000, upwards to £5000 ; but although Mr. Duncan had not this precise stamp in his own possession, he informed his intending customer that he would probably obtain it in the shop of Messrs. Brash & Reid, booksellers and stationers, not far distant. While this customer, in the real person of Mr. Alexander Richmond, was leaving Mr. Duncan's shop, a friendly neighbour was stepping into it, and eyeing Mr. Richmond from top to toe—whom he had previously before seen in other places—he addressed Mr. Duncan at his own counter thus—"Dear me, Mr. Duncan, what in all the world is Richmond, the spy, wanting with you here this evening?" Mr. Duncan was petrified at this information. We heard this from his own lips repeatedly. He did not know Richmond personally, but he determined now to know him, and most narrowly watch him, too, about his ten shilling receipt stamp ; so he sprang away in company with another friend who happened to be in his shop, viz., Mr. Robt M'Dougall, then in the *Chronicle* office in Glasgow, and afterwards in the *Scotsman* office in Edinburgh, and they actually espied Mr. Richmond getting his receipt stamp, or stamps, in Messrs. Brash & Reid's shop. They dogged him on to the house of Mr. Reddie, the Town-Clerk, in Gordon Street, where he was closeted with Mr. Kirkman Finlay. They rang the bell, and boldly asked for Mr. Richmond ; and a scene then took place for which we must refer to the little volume itself. It transcends that of any story of any Detective Officer of modern times, but we can only give the results of it, for fear that are we already taxing the overstrained patience of our readers.

Suffice it therefore to say, that this early and undoubted

fact of the identity of Richmond, closeted with Mr. Reddie and Mr. Kirkman Finlay, which, we repeat, was originally communicated to us by Mr. James Duncan of Mosesfield, who was the intimate and bosom friend of the late Dr. Wm. Davie, Town-Clerk, confirmed as it specially was, by Mr. Robert M'Dougall, whom we also frequently saw on the same subject, inspired us with some confidence and resolution, and led us further to expose and bring to light many of the dark and damnable deeds of that notorious scoundrel, partly vouched by his own hand-writing, which covered his patrons and his friends with shame and confusion of face. Hence, our original little volume, founded on facts and circumstances of the most irrefragable description, entitled, as we have stated, "The History of the Spy System in Glasgow," was attempted to be smothered or suppressed in Glasgow; and the majority of the Glasgow press aided the design, in so far as they studiously avoided taking the least notice of it. But the sparkling review in the Magazine, entitled "The Spy System, or 'Tis Thirteen Years Since," produced, we have occasion to know from the best authority, viz., its publisher, the late Mr. Wm. Tait, the most intense interest wherever it was read in England, Scotland, and Ireland, and it was eagerly sought after years afterwards. We have been often urged to re-print the whole of our little volume, corrected and revised, with some additional interesting manuscripts in our possession, but that is a task we fear which we must leave to others.

This review in "Tait's Magazine" stung the great villain Spy himself, who, strange to say, wormed himself into considerable repute in and about London, where his wicked and atrocious antecedents in Glasgow were not known; but being traced out in London he assumed mighty airs, as

all villains frequently do,—Dr. Pritchard was the last type of his race in that respect,—pretending to be an innocent man. Mr. Richmond threatened that if the respectable publishers of the “ Magazine ” in London, viz., Messrs. Simpkin & Marshall, none more respectable, would not withdraw the publication and apologise to him for the article contained in it, he would bring an action of damages against them before the superior Courts in London. These gentlemen in London, of course, apprised Mr. Tait in Edinburgh of this, and Mr. Tait, after frequently communicating with us in Glasgow, and completely satisfying himself of the truth of every word we had published, came to the resolution, and disdained, or peremptorily refused, to make any apology or concession to the Spy whatever. He obviously imagined that he could *mulct* the London booksellers out of something or other rather than that they would incur the enormous expense of bringing up witnesses from Scotland to London to meet his action. But Messrs. Simpkin & Marshall treated him with scorn, and defied him ; and so he raised his action sure enough against them, though they were utterly ignorant of the merits or demerits of the publication, and only acted as the agents of “ Tait’s Magazine ” in London ; but that, we may observe, did not excuse them in the eye of the law, and he well knowing that state of the law, demanded from them in his Exchequer suit, London, the sum of £5000 sterling of damages !

In the course of that audacious action, we, doubtless, as the principal author of the whole, were subjected to the ordeal of a most rigid examination, unexampled almost for its length, having lasted for upwards of sixteen mortal hours. The Barons of Exchequer sent down a special commission to Glasgow, addressed to the late Mr. Alex.

Morrison, Dean of the Faculty of Procurators in this city, for taking evidence. That commission sat in the Eagle Inn of Glasgow for some days. We were confronted face to face with Mr. Richmond himself, and his retinue of agents, consisting of Messrs. Brown, Railton, and others ; while Mr. Tait, in vindication of Messrs. Simpkin & Marshall, was also in attendance from Edinburgh, with Mr. Ayton, advocate, as his counsel, and Mr. John Kerr, writer in Glasgow, his agent, with a select staff of Edinburgh reporters, &c., &c. It is sometimes ticklish, if not hazardous for any one to speak of himself in any lengthened line of examination and cross-examination, especially in a formidable cause such as the one in question, where every word is eagerly noted down as it falls from the lips, and is liable to be commented on with all the ingenuity of lawyers, and discrimination of Judges ; but we are proud to say, as was admitted by the Court, that we stood the brunt of that long line of examination with remarkable composure, sharply as we were teased about it by the plaintiff's counsel. When one has the essence of *truth* on his side, he may get confused in some passages, but sticking to the truth in the main, he can never be daunted, and not easily overthrown ; and it is a great comfort to us at this moment to be enabled to state (and our kind readers, we hope, will not blame us for doing so,) that after looking over our long examination from the short-hand writers' published notes, as we did the other day, with some interest about the olden time, we declare there is not one single syllable in the whole of it which we could desire *now* to obliterate or alter in the slightest degree. We had really some thoughts of laying the whole of it before our readers, but it is much too long for these pages, which we must try now to condense ;

and therefore we may be excused simply for stating that in answer to the innumerable questions put to us, in examination and cross-examination, we gave chapter and verse, day and date, names and designations, distinct, special, and pointed references to the very abodes or dens of iniquity in which Richmond, with his emissaries, had carried on their unhallowed deeds in this city ; yea, we referred to some of the living witnesses, then to be found, who obtained the *Treasonable Oath* (already spoken of in these "Reminiscences") directly from his own hand, which Treasonable Oath he undoubtedly carried to Mr. Kirkman Finlay—which Treasonable Oath that gentleman transmitted to Lord Sidmouth, Secretary of State for the Home Department—which Treasonable Oath Lord Sidmouth read to the House of Commons, alarming that House, and leading to the suspension of the *Habeas Corpus Act*,—and which Treasonable Oath, we finally repeat, imperilled the lives of many poor, unsuspecting men, and through its subsequent operations led others of them to the *scaffold*,—all as we have truthfully depicted in the earlier numbers of our "Reminiscences." In short, we gave such evidence upon oath, fortified by that of others, as went completely to justify the "History of the Spy System," and to prove beyond doubt that Mr. Richmond was, in truth, the odious Spy villain we had so frequently described him to be in Glasgow.

We remember very well, at the close of one portion of our long examination, the Commissioner felt himself exhausted, and suggested that an adjournment should take place for some necessary refreshment. Mr. Tait at once agreed to this, and the refreshment was about to be brought in. Mr. Richmond began to make ready his knife and his fork, to share with the others at the same

table. "No, no," said Mr. Tait, the honourable Edinburgh publisher, rising from his seat, "I can never participate in food of any kind at the same table with that man," pointing to Richmond. At this Richmond stormed with fire. "You, sir (addressing Tait) are here merely by *my* sufferance; I could order you out of the room, as you are not named in the Commission at all, and have no right to appear here. And as for you, Mr. Peter Mackenzie (looking at us with a visage as if he had come from the lower regions), I'll soon punish you, sir, for all your scandalous accusations against me." "Will you, indeed?" we replied. "Yes," he said, "I'll *lick* you ere I leave Glasgow." "You had better be quiet, Mr. Richmond," said we; "this is a *Secret* Commission. The Commissioner has ordered it to be kept quiet, for fear of the peace of the city; for were it publicly known that you, Richmond the Spy, was in this city at this moment, braving out your crimes, some of the indignant citizens—remembering the blood of their innocent friends, and crying aloud for vengeance—might have entered and torn you limb from limb!" All this was entered on the notes and published; but a striking part of it remains to be given. He was going on with his insolence to Mr. Tait, and actually squeezing us most rudely at one part of the table. "Sir," we exclaimed in presence of the Commissioner, "take care. The respect which I (Peter Mackenzie) have to the Commissioner, and to the Hon. Judges of the land, prevent me at this moment from resenting this treatment, and punishing you upon the spot; but if you come out to that lobby, *I'll endeavour to make your outside as black as your in!*"

These words were also noted down. Our bones and blood were then more vigorous, perhaps, than they are

now, but if he had gone out to the lobby, we are not sure but we would have matched him with something like “physical force,” to which formerly he had urged others ; and most certainly our blows would have been directed against him as pungently, we dare say, as he felt the force of the early vigour or our pen.

#### CHAPTER I.—THE TRIAL IN LONDON.

“Saddle White Surrey for the field to-morrow.”

SHAKESPEARE.

AT last the intimation reached us in the cold month of December, 1834, that we must immediately travel to London with all the Glasgow witnesses we had referred to in our special deposition before the commissioner, for the case was set down for trial before Baron Park and a special jury in the Guildhall of London on the 20th of December, that year.

Mr. Tait, we may remark, often and anxiously came out to Glasgow to see the witnesses we had referred to. Of course he had all the anxiety which an honest man must feel in defending any cause, especially one of so important an issue. We had our own increasing anxiety at that period, surrounded by a young pretty little family, whose sweetness and innocence only inspired us, we do believe, with the greater courage and renewed perseverance in public matters, whether for their own benefit or not is another matter ; but it is a great blessing for an old man to be enabled to say that none of his numerous family, not one, ever gave him by their conduct, the smallest pang. On the contrary, they have been his solace and his comfort, the pride of his life and the hope of his heart amidst many vicissitudes, though some of them are now thousands of miles away.

Mr. Tait had kindly requested his Glasgow agent, Mr. John M'Leod, the bookseller, to put into our hands £100 to cover the necessary expenses, &c., to London. We refused to take one sixpence of it, saying to Mr. M'Leod, that as we had been the means of bringing Mr. Tait into this scrape, we felt it to be our duty to do everything in our power to bring him triumphantly out of it. Therefore, to London we went with eight or ten most trusty witnesses, who could tell about Mr. Richmond and all his nefarious proceedings.

When we reached London, we found Tait, who had been there some days before us, in an agony of distress. He had selected as his counsel none other than Mr. John Arthur Roebuck, now the honourable and distinguished member for Sheffield, and Mr. Roebuck had read all the papers, and heartily undertook to plead the cause of the defendants. He was thoroughly prepared in the case, and felt, we believe, much gratified and honoured with the task before him. But unfortunately, Mr. Roebuck took suddenly unwell the very day before the trial, and it was impossible for him to attend the Exchequer Court. He therefore returned his papers. In this emergency, Mr. Tait was advised to go to the chambers of a young man then very little heard of, but was esteemed to be a rising liberal-minded barrister of great promise. We refer to Mr. T. N. Talfourd, afterwards the celebrated Mr. Sergeant Talfourd, who became M.P. for Reading, and one of the supreme judges of England. This case actually was the making of him at the English bar, for, till then, he had never addressed any jury in any case of the least consequence. He at once entered into this case from Scotland with his whole heart and soul. We never saw a more delightful advocate, or a more pleasing young gentlemen,

with a countenance much resembling that of Lord Byron, and with some of the fire of Byron himself, for Talfourd also wrote poetry in some of his leisure hours, and it commands respect to this day. We had the pleasure of attending a very long consultation with him before the trial, and he handled everything he touched to our perfect delight, and to the great relief of Mr. Tait, who was lamenting the sickness of Roebuck. There were some rough, tough, Scottish expressions in our book, sounding rather strange to the sweet ears of Englishmen, and Talfourd was rather perplexed with some of them; but when he comprehended the exact force and meaning of the words he became much amused, and repeated the very idiom of them thrice over till he could almost give the real Scottish accent.

"Are you quite sure," said he, "Mr. Mackenzie, that you can depend on your Glasgow witnesses?" And being answered in the affirmative, he again read over some pages of the book which he had marked, and he became visibly affected with some parts of the touching letters of Hardie and Baird, and the execution of poor old James Wilson in Glasgow. He struck his forehead, paced up and down the room of his chambers, and broke out with the exclamation, "My God!" he said, "these were indeed frightful times in Scotland. Depend upon it, I shall struggle for you in this case in the Guildhall to-morrow to the uttermost. You have my entire sympathy and very best wishes—Good night."

On the morning of the trial he appeared brisk and cheerful, and we sat down near to him at the bar, quivering, of course, with the momentous scene then commencing, for it would send us back to Glasgow either with glad or sorrowful hearts. Tait, we were pleased to see,

stood, as the saying was, "like a brick," with the most perfect confidence in Talfourd, and well he might, for never did counsel go to any bar with such determined energy and zeal to win the cause of his clients.

Richmond, the plaintiff, appeared, not in the weaver's dress which he was wont to wear at Pollokshaws, nor in the drab seedy habiliments in which he oft appeared in the tap-rooms of Glasgow, administering unlawful oaths to his victims; but he appeared in the refined dress of "a Parliamentary agent," as he actually called himself to be at this stage, and he addressed the jury for nearly four hours with all the fluency and something more than the audacity of a practised barrister, in his own favour. We were perfectly astonished, we confess, at the bold and extraordinary appearance of the man, recollecting all his previous exploits in Glasgow.

It is better we should give the following exact *rubric* of the case, as published at the time in the London papers, which will enable our readers to understand the exact position of it:—

"TRIAL FOR LIBEL IN THE COURT OF EXCHEQUER, GUILDHALL, LONDON,  
ON SATURDAY AND MONDAY, THE 20TH AND 22ND DECEMBER,  
1834, BEFORE THE HON. BARON PARK AND A SPECIAL JURY.

ALEXANDER B. RICHMOND, PLAINTIFF,

*Versus*

SIMPKIN AND MARSHALL AND OTHERS, DEFENDANTS.

"THE plaintiff, designing himself Alex. Bailey Richmond, Parliamentary Agent in London, raised this action against Simpkin & Marshall, booksellers in London, agents for 'Tait's Edinburgh Magazine,' for publishing a series of libels against him in said Magazine, arising from the review of a work published in Glasgow called 'The

'Exposure of the Spy System,' written by Mr. Peter Mackenzie, wherein the plaintiff was denounced and held forth to the public as an instigator and Government spy at Glasgow in the years 1816-17, and downwards, the plaintiff alleging on the Record that the statements therein made against him were false, libellous, and malicious.

Damages laid at £5000.

"Defendants pled the general issue with a plea in justification which they offered to prove, viz., that the statements so made in the said publications were true and justifiable, wherefore no damages were due to him."

Case called and jury sworn.

In the course of his long, vehement, and rambling address to the jury, we need only select the following rather sharp passages :—

"Gentlemen of the jury," said he, "in addition to those damnable and defiant statements against me in that 'Spy System,' published in Glasgow, you will find that I am designated in other parts of that work as 'a villainous spy.' That I attended meetings of Reformers merely to enable me to betray them to the Government of my Lords Sidmouth and Castlereagh. But, gentlemen, I earnestly call your attention to the following paragraph in the review, '*The social Burker found more credulous victims*'. Yes, gentlemen, you see they hold me up as a social burker, comparing me to one of the greatest criminals that ever lived ; and, gentlemen, can you doubt that the expressions I have just read are not libellous in the highest degree ? 'The social burker !' Why, gentlemen, I believe this is the very first time where such a foul and atrocious epithet has been applied to any human being, or brought under the notice of a Court of Justice. 'The social Burker !' (Here the plaintiff waxed warm, as if he

had been one of the doomed innocents.) Gentlemen, I am sure," said he, "you will concur with me, that nothing ever excited such horror as the circumstances connected with the trial of Burke. The whole scope of the English language cannot convey an idea of greater atrocity than that expression, and therefore, gentlemen, you must be satisfied that it is an atrocious libel against me. Gentlemen, in other portions of the same work you will find that I am termed 'a ruffian' : that I was accessory to the *treasonable* oath, and that I actually corrupted or attempted to corrupt some weavers of the name of M'Kinlay, Buchanan, M'Kimmie, Craig, and others. Gentlemen, I indignantly deny the foul, base, and dastardly accusations. In the same article it is stated that I incited persons to commit crimes or offences against the Government : that I had been employed by Mr. Kirkman Finlay, and had been seduced to become a spy by the promises of advantage : that I had been employed to discover a *plot*, which was absurdly supposed to exist in the breast of Mr. Finlay and **that**, as I could not discover such a plot, I had invented one myself to please Mr. Finlay, and Lord Sidmouth, by whom he was employed, 'To enable,' it was said, 'the Government of that day to crush the demand for Reform, then so generally made.' In short, gentlemen, I am treated as an incendiary, traitor, and spy. These statements you will also find specially made against me in a letter purporting to be written by Peter Mackenzie or Wm. Tait to Mr. Kirkman Finlay on the subject of the spy system. Gentlemen, when my attention was first called to the subject by some of my friends in London, soon after the publication in the Magazine of the month of May, I wrote a letter to the editor of the Magazine, which reached him before the publication of

his next number in June, but instead of inserting my letter of contradiction, he wrote a commentary upon it, treating all my attempts to contravene the statements originally made against me with irony and contempt. This shows his *animus* against me, and you will therefore visit him with more exemplary damages. Gentlemen, the intent of some of these libels was to show that at one particular period the Government of this country did not hesitate to resort to the basest means to coerce the people, and that the men who were executed in Scotland had really taken no part in illegal proceedings, but were led on by dupes or designing men. Gentlemen, you have heard of the names of Oliver and Castles, the blood-thirsty spies of England, and although my name has been associated with theirs, I declare to you I knew nothing about them, and never saw them in all my life. I again solemnly declare that the whole of the statements made against me in these libels are a tissue of the grossest falsehoods. I have been a soldier, gentlemen, and I am not ashamed to say so, and know what it is to face cannon. This very day last year I stood under the walls of Antwerp, but the physical courage there required was far less than the moral courage which sustains me now. I feel confident that you will by your verdict afford me ample redress."

Such is a faithful epitome of his speech, some parts of which were delivered with great force. He had obviously studied it for many days.

He only called his own solicitor, Mr. Charles Brown, into the box to prove the publications containing the libels complained of, which were read to the jury.

"My Lord," said Richmond, "and gentlemen of the jury, *that is my case.*"

We retired for a few minutes into one of the inner chambers of the Guildhall with Mr. Talfourd, who was now to open the case for the defendants, accompanied by Mr. Tait and his London Solicitors, Messrs. Beckett & Co., and others. It was a most exciting period. The Court was crowded to excess, and the flower of the English bar at that time had taken their seats to hear this *first* speech of their young friend, Talfourd. He commenced in the following calm, most elegant, and impressive manner, which we pray our readers to listen to, though it can give no adequate representation of the then living reality.

"My Lord and Gentlemen of the Jury,—I have now the honour to address you, on the part of the defendants, in this truly important cause—important to the plaintiff; important to the defendants; and, as I think, eminently important to the country at large. (Here the crowded audience became perfectly entranced, and you might have heard a pin fall during the remainder of this most eloquent address.) You will at once perceive, gentlemen, and let me entreat you to keep the fact constantly in view, that the defendants are simply the London publishers of Mr. Tait's Edinburgh Magazine—exercising no control whatever over the matter which it contains; carrying on their respectable trade at a distance of 400 miles from the place where the work is arranged and originally published; receiving its successive numbers in the ordinary course of transmission by mail, to be circulated through the ordinary channels of periodical distribution—as incapable of feeling *malice* against the plaintiff as the paper on which the work is impressed, and ignorant, totally ignorant of his very being, unless they accidentally might have heard of his atrocious exploits as a matter of Scottish history. Gentlemen, I do not deny that, as the law of libel at present stands, if indeed within the mere covers of the work which the defendants have so assisted to circulate there be found matter defamatory of one who has any right to complain; if, indeed, the plaintiff be, as he has dared to aver on this record, 'a person of good name, fame, and credit; reputed, esteemed, and respected by his neighbours; a good and worthy subject of this realm; blameless through life; wholly unsuspected of treachery, or treason, or crimes,'

—that then the defendants were liable to be selected by him for this proceeding ; and not only they, but every bookseller, in every town throughout the United Kingdom, who has received a single copy of this Magazine, and has handed it to his customer. But, gentlemen, while I make this ample admission as to the right of prosecution which the plaintiff possesses, I must be permitted to express to you my utter amazement at the manner in which he has exercised it, not only in respect of the parties whom he has selected for his adversaries, but for the scene in which he has chosen to vindicate the pure and spotless character which he claims to enjoy ! Gentlemen, on the cover of this very Magazine you will find the name of William Tait as publisher. But in the city of Edinburgh—in Scotland—where it was in the first instance given to the world, no one has yet heard that the plaintiff has dared to take any proceedings against Mr. Tait ; nor, gentlemen, can it be pretended that this monthly publication, any more than the ‘ Edinburgh Review,’ or the ‘ London Quarterly Review,’ is one that a London publisher should receive with peculiar caution. It is a work of great talent, altogether critical or reflective, one of those periodical publications which the quick spirit of the age has made the vehicles of much of the feeling, the thought, and the imagination, which were formerly to be found only in massive volumes. And, gentlemen, I ask you, is it not wondrous that, because in such a publication, which ably investigated and assailed a system of policy belonging to times long gone by, and I trust in God never to return, allusion is made to one of the chief polluted actors in those well-known scenes, illustrative of its consequences, he should start up in his own proper person, from the silence of years, and demand from these unconscious London publishers a compensation of £5000, as he calls it, for this *malicious* attack upon him!—upon him, a loathsome creature whom they did not know was amongst the living ! But, gentlemen, granting that the defendants on this record are morally and legally liable to him, I ask, How can *he* explain, for his own sake, the trial of this question here, which he might and ought to have tried in Scotland ? Ah ! gentlemen, he thinks to impose upon you, an English jury—strangers to him—but I shall soon tear away the veil which covers him from your knowledge. I shall unmask him to you in a way which even his audacity, of which you have this day had a small specimen, never, I doubt, contemplated. Gentlemen, this man, the plaintiff, is a Scotchman ; all the actors in the strange and melancholy drama, in which I will show you he performed fourteen

years ago, are Scotchmen ; the repute, good or evil, which attended him on these occasions, still linger in Scotland ; the parties to whom he has so confidently appealed this day as the depositaries of his innocence are there ; the work in which the memory of his actions was revised was published there. And yet, gentlemen, here in London, far away from the scenes of his original exploits, when you get to the next step beyond the London publishers, and have exhausted your wonder, as I perceive you already begin to do, that he has selected the London agents in place of Mr. Tait, the publisher of the 'Edinburgh Review,' and when you come to examine the Magazine containing the Review itself, you will find it asserts nothing on the authority of anonymous writers, but refers specially to the previous printed works, for all the facts whence the inferences of the Review are drawn, and which supply that bold and stirring indignation against this plaintiff which, I admit, they breathe. In the first place, gentlemen, let me distinctly inform you, and you will please to keep in view, that the original article in 'Tait's Magazine' was a mere *review* of the original work then in circulation, published in Glasgow nearly a year before the Review in the Magazine appeared. It is entitled—'Exposure of the Spy System pursued in Glasgow during the years 1816-17,' &c., with this remarkable imprint upon it—

'We'll whip the rascals  
Naked through the world !'

Gentlemen, that work, as I have told you, was originally published in the city of Glasgow. It was so published in fifteen successive numbers, every one of which is headed 'Exploits of Richmond the Spy.' Now, gentlemen, during the whole progress of this work, which was most extensively circulated, Richmond—I beg his pardon—Mr. Alexander Richmond, formerly the Glasgow or Pollokshaws weaver, earning some 10s. or 12s. per week, now parading himself before you as Mr. Alexander Bailie Richmond, *Parliamentary Agent*. (Shouts of laughter.) Mr. Richmond, our new Parliamentary agent, took no steps whatever in vindicating himself from the strong and damning charges therein made against him. Not only did he bring no action, but he did not even make the whisper of a remonstrance ; thus testifying to all the world, by that eloquent and expressive silence, that those charges were incapable of contradiction by him. Then, gentlemen, was the *reviewer* not entitled to comment on them as true ? But, I ask you, why did this precious plaintiff, who has now suddenly be思ought himself of his character, not bring his action against the

avowed and well-known author of that work, Mr. Peter Mackenzie, who is present in court sitting beside me. (Here the eloquent counsel paused and whispered to the author, and all eyes were keenly turned to him ; and, at the suggestion of Talfourd, he arose from his seat and silently but respectfully bowed to the judge and jury, who bowed in return.) Now, gentlemen, you have here Mr. Mackenzie, the true and proper party, who, I say to you, has collected, with meritorious zeal and energy, the whole of the details given in this book, and abides by them in the face of the plaintiff himself. (Applause.) Gentlemen, I will prove to you the truth of them by witnesses we have brought from Scotland. But, gentlemen, besides this, luckily for my clients, the defendants, I have one all-powerful witness to bring against the plaintiff, to whom, or rather to whose extraordinary but conclusive evidence, I defy the plaintiff to take any exception ; and that witness, gentlemen, is none other than the plaintiff himself. (Sensation.) I hold in my hands a printed copy of the plaintiff's own published narrative about some of those atrocious transactions in Scotland in which he flourished, and which proves and sustains every one of the material charges afterwards published by Mr. Mackenzie against the plaintiff. Gentlemen, this book, which I now present to you under the hand of the plaintiff himself, is entitled—‘A Narrative of the Condition of the Manufacturing Population, and the Proceedings of Government which led to the State Trials in Scotland for Administering Unlawful Oaths, and the Suspension of the Habeas Corpus Act in 1817 ; with a detailed account of the System of Espionage adopted at that period in Glasgow and its neighbourhood, by Alex. B. Richmond.’ Here, gentlemen, is a book for you to unveil the secrets of the prison house.” (Reads several passages.)

And then coming to the trial of Andrew Mackinlay and the attempted subornation of John Campbell, and other scenes already published by us in these “ Reminiscences,” the eloquent counsel paused at the following passage before he read it from the plaintiff's own narrative :—“ I had frequent opportunities,” says Richmond, “ of unreservedly hearing the sentiments of the crown lawyers in Edinburgh during the progress of some of these trials, and I will state the impression produced upon my mind. Had they

succeeded in establishing the administration of the concocted oath (written by Richmond himself), of which they entertained no doubt, two or three would have been sentenced to capital punishment, and a number more to transportation ; and had the circumstances which I (Richmond) have related not intervened, I," says he, "*have no hesitation in saying that their sentences would have been carried into execution.*"

(A thrill of horror here manifested itself in Court.)

"Gracious God ! gentlemen," exclaimed the eloquent Counsel, "did you ever hear of such cool atrocious villainy? and this is the man who has come into an English Court of Justice seeking damages for his character! Why, gentlemen, such a piece of effrontery—such cool deliberate villainy I never met with in all my life."

Then the eloquent Counsel commented on the plaintiff's own admissions as to the sums of money he had received from Mr. Kirkman Finlay, and how he had applied them in the Spy business in Glasgow, ending with this confession of the plaintiff in his own book.

"At last," says Richmond, "in February, 1821, Lord Sidmouth finally decided (through Mr. Kirkman Finlay) that a few (additional) hundred pounds was a sufficient indemnification to me."

"That is to say, gentlemen, this plaintiff who, as I shall prove to you, was a common weaver, earning not more than 10s. or 12s. per week, whose wife and family were in poverty and rags, talks, you see, quite lightly of the *few hundred pounds* he subsequently received from Lord Sidmouth, per the hands of Mr. Kirkman Finlay, for acting the part of the patriot spy. Can baseness—can iniquity go farther than this ? But, gentlemen, I must now read to you a short but most extraordinary descrip-

tion of the plaintiff's character, by a witness who cannot be mistaken, for it is the plaintiff himself, sitting with his disgraced head in that corner. (Sensation.) Gentlemen, I hold in my hand and now present to you an original letter holograph of the plaintiff, written and addressed by him to Mr. John Wilson, weaver in Glasgow, which letter Mr. Wilson delivered up to Mr. Peter Mackenzie ; and we shall prove its authenticity if denied. It is written, gentlemen, I pray you to observe, from Leith, near Edinburgh, on the 25th day of February, 1817—immediately after the miraculous—the damnable trial of poor Andrew Mackinlay, who is one of the group referred to in the plaintiff's own narrative that would otherwise have been executed for treason ! ‘ You will,’ says Richmond to Wilson, ‘ very likely before this time, amongst with others, have passed a final sentence of condemnation against me, and set me down—(mark his own words)—*as a damned unprincipled villain.*’ Now, gentlemen, *that* is the plaintiff's own character as given by himself under his own hand and seal ! And can you blame Mr. Mackenzie, or can you blame the Reviewer, or these innocent publishers in London, for scourging him, or exposing him with his own weapons ! ”

The eloquent Counsel then went into a most masterly and thrilling review of some of the State trials in Scotland, on which we have already descanted, and he dwelt in pathetic language, which drew tears from some of the audience, on the sufferings of Hardie and Baird, and poor old James Wilson on the scaffold. We wish we could give the whole speech at length, but the following is the brilliant close of it :—

“ My Lord and Gentlemen of the Jury,—That this man, the plaintiff, who has the audacity to appear in this court, has put the

lives of many other of his fellow subjects in peril, cannot be denied; for whose escape, occasioned by providential means, in which he had no share, cannot be denied, yet for which escape he ought, I say, to thank Almighty God to his dying hour. He strives, gentlemen, in his book, to represent himself as the gentlest of spies! But it cannot for one moment be doubted, even from his own mitigated view of his conduct, that he was the diabolical agent of a system which involved the worst of treason,—treason to all those affections, and charities, and confidences which sweeten life, and to protect which, I am sure, gentlemen, you will aid me in here supporting. Rather (said the impassioned eloquent counsel, rising with the occasion)—rather, my lord and gentlemen, than endure the petty tortures—the thousand treasons of this most accursed Spy system under the *mask* of constitutional government—I would say, give me an honest *Despotism*, beneath the shade of whose iron fortresses our little circles of friendship may be kept sacred, and which, at least, will not deprive its slaves of fellowship or sympathy in their griefs and trials. That accursed system of espionage is, I trust and believe, past for ever;—thanks to this little book of Peter Mackenzie for ringing its death knell. But, gentlemen, whatever labours the spirit of humanity and of freedom have yet to undergo—if yet to be opposed to earth-born power, instead of being infused and blended with it, the contest, I think, will be a manly one—an open soldier-like battle; not a series of treacherous and wicked violations of all that makes life dear to us. Gentlemen, not standing here seeking to deprive this wretched plaintiff of such allowances as may be made to him between his conscience and his God, yet you, an honest British Jury, I am persuaded, will tell him that he, the instigator, the spy, and the betrayer, has no right to complain in a Court of Justice, when, at his own call, the iniquities of long-past years start up in spectral array against him, and that high-minded men shudder at the loathsome sight. Far less, gentlemen, has this plaintiff any right to demand damages for the honest commentaries of truthful history, or of righteous criticism upon a character, the price of which he has already unblushingly told you were paid to him ‘in those FEW additional hundreds of pounds’ got from the Government, and I feel confidently assured that you will not allow him to receive one farthing more for his most damnable and disgraceful services.”

An enthusiastic shout was set up at the close of this

most brilliant address, and young Talfourd was complimented for it by all the senior and junior barristers in the Court.

Suffice it to say, that the following witnesses from Glasgow were called and examined for the defence, every one of whom told more conclusively than another against Richmond, and clenched the history of the Spy system in all its essential parts, as written and published by the hand still privileged to write these pages, viz., Glasgow witnesses—Wm. McKimmie, Stewart Buchanan, Robert Craig, John Millar, William Wotherspoon, John Wilson, David Prentice, Editor of the “Glasgow Chronicle,” Robt. Owen of Lanark, &c. We may only give a few outlines of the evidence thus:—

Witness, Stewart Buchanan—I solemnly swear that the treasonable oath exhibited to me by Richmond, the plaintiff, is the very oath that is quoted accurately by Mr. Peter Mackenzie, in his “Exposure of the Spy System.” (Sensation.)

By the Court—Have you any doubt about it?

Witness—None whatever, my Lord.

Court—And he brought you ball cartridges to join in the insurrection?

Witness—Yes, he did, my Lord.

Plaintiff—Now, witness, don’t be petulant. I ask you on your oath, sir, did you ever see me in your life before, till this day in this Court?

Witness (looking sternly, but surprised at plaintiff)—See you, Sandy! (Great laughter.) Why, my man, I’ve seen you hundreds and hundreds of times in the loom-shop, when you had only *duds*, and scarcely a coat on your back. (Sensation and renewed laughter.)

Plaintiff—Do you know Peter Mackenzie?

Witness—I know the gentleman you mean.

Plaintiff—How long did you know him before he wrote the Exposure of the Spy System?

Witness—I never spoke to Mr. Mackenzie till lately, when he called for me and questioned me, and told me that I would require, with others, to go with him to London as a witness in this business.

Richmond—Now, sir, I ask you, do you know a tavern-keeper of the name of Baird in Bell Street of Glasgow, whose brother was executed at Stirling for treason?

Witness—I do not, according to present recollection.

Richmond—Now, sir, take care; were you not in Baird's house lately, and admitted that you could say nothing whatever against me?

Witness—I never said anything of the kind to man or woman born.

Richmond—How came you, sir, to London? Were you addressed to Tait, like his Magazine parcels?

Witness—Addressed to Tait, like his Magazine parcels! I don't know what you mean. But I can tell you what, Sandy, I was not addressed to him like one of your green bag plots. (Shouts of laughter, in which the Court joined.)

(This was literally a knock-down blow to Richmond. He never recovered from it, or put another question.)

Mr. Talfourd—My Lord, we have other witnesses, brought from Scotland at great expense, but we deem it unnecessary to call them.

Baron Park to the plaintiff—Sir, have you any witnesses to rebut these strong and serious accusations against you on this clear body of evidence, so far as it has gone?

Plaintiff (hesitating)—No, my Lord, I have no evidence at hand.

Judge—Have you any evidence at all ready to be called?

Plaintiff—None in attendance.

Judge—Then that is your own fault, sir, as you had the fixing of this trial in your own hands.

Plaintiff—I admit that, my Lord.

Judge—Well, sir, you must be *non-suited*.

And the plaintiff was non-suited accordingly, with the plaudits of the jury, who actually rose from their seats and clapped their hands at the close of Mr. Talfourd's brilliant address, equal, it was said, to any of Lord Erskine's in the Guildhall of London. The plaintiff skulked out of Court amidst the hootings and hissings of the auditory.

#### THE EFFECTS OF THAT TRIAL.

We parted with Mr. Talfourd, and all our other friends in London at that time, with the greatest good humour, and in the highest flow of spirits. He promised to come to Scotland and perambulate the scenes of our labours referable to the spy system, in the following summer, or the one following that again; and sure enough he did come to Scotland, and was perfectly enchanted with the scenery of the Clyde. He posted privately to Strathaven, where James Wilson was born ;—he visited his condemned cell in the Jail of Glasgow—he saw the gallows whereon he was executed—he visited the fatal, the bloody field of Bonnymuir, and sketched a drawing of it ; he went to Stirling Castle, and viewed the glories thereof—and he sighed over the graves of Hardie and Baird in that quarter; not disdaining to walk the grounds of Thrushgrove where we had erected, at our own expense, a small monument of its kind to their memory. He afterwards attended a meeting of the Highland Society in Glasgow, at which the first created Duke of Sutherland was in the chair;

and Talfourd, the Englishman, made a most brilliant speech on that occasion, which captivated the hearts of every Scotchman who heard it. He seemed to acquire, and he did acquire, fresh lustre from his visit to Scotland, for he took up his residence for several weeks in the sweet inn of Bowling Bay, then kept by Mr. Robert Bell, where he wrote not a few pages of his first works in literature or in poetry ; while in London, his business as a barrister, by that speech of his on the Scottish Spy System, brought him almost into every case of any consequence for the persuasion of a Jury. He rose, as we have already stated, to the top of the English bar, only leaving it to become one of the most intellectual and amiable Judges of modern times—dating his success to the trial about these Glasgow matters which we have delineated.

We have rather a puerile bit of a story to tell here about ourselves, which need not be lost. It was a dreadful cold month of December the year of that trial,—the snow had nearly choked up all the high-roads in the kingdom ; but with the verdict in our favour, we thought we would surely spend a merry Christmas in Glasgow. We wrote home accordingly, on Monday night, from London. We secured six inside and five outside seats of the Tally-ho Coach from London to Liverpool, and from thence to Glasgow, for next to the Royal Mail, that was the direct mode of travelling in those days ; and we arranged with our other friends (the witnesses) that the outside ones should change places with the inner ones at convenient stages. On arriving at Stony-Stratford, and warming our benumbed fingers at the blazing fire—as many travellers were wont to do at the great kitchen of the inn of that place—we were struck to see a sickly lady, apparently shivering with cold, and lamenting the long

journey she must have for Liverpool. A young spark was with her, and seeing us in the most merry mood with our witnesses on the road to our own happy homes, he said, "Will you kindly please, sir, to exchange seats, and allow this lady to have your inside seat only for the next stage?—it will greatly relieve us." "Most certainly," we replied. That young spark got also the *inside* seat of another of our friends for himself, and we were perched now on the outside, whistling and braving the winds, the frost, and the snow, thinking only of the Guildhall of London, so recently left, and dear Glasgow in the looming distance. One stage is passed, and another stage is passed—another and another. We are at all these stages doing the agreeable for our friends, but the young spark and his Dulcinea never as much as said "Thank you!" They kept the inside seats for themselves, and when they stepped out occasionally for refreshments on the road, they seemed as if they disdained to recognise any of the other passengers, or to join with them in the free and easy jorums of the journey. Civility at all times should be an easy and a pleasing burden. It costs very little, and when it is mildly and affably applied, it is sure, in the generality of cases, to command respect. Not so in this instance. The young spark referred to seemed to think that as he had obtained possession of the seat, he was entitled to retain it the whole way to Liverpool, and the lady herself began to put on airs to the same effect. This convinced us that the one was not a real gentleman, and the other not a genuine lady; so we called the guard, and insisted that he should place his passengers in their proper order. Our pockets, we are sorry to say, were picked ere we exchanged coaches at Liverpool. The heavy coach from Liverpool to Glasgow stuck fast in the deep snow at Shap Fells for hours, and

the journey commencing at London on Tuesday was not completed in Glasgow till late on Saturday night, the 27th Dec., when we were taken out of the coach by old "DALL," the famous Glasgow porter, frost-bitten, more dead than alive! Yet we have jumbled on tolerably well ever since; and what is better, we can receive advices from London now within fifteen or twenty minutes, and can breakfast in Glasgow and enjoy supper in London on the self-same day. How different from the time of Richmond the Spy! Yea, in many other important respects!

#### THE SALUTATION IN GLASGOW ON THE DEFEAT OF RICHMOND—THE KING'S PARDON TO THE BONNY-MUIR VICTIMS, &c., &c.

When we returned to Glasgow, a few kind friends proposed to entertain us at a public dinner, but we peremptorily refused. This led, however, to the presentation of a handsome silver box, put into our hands at the time, by the late George Ord, Esq., then Chief-Magistrate of Gorbals, Wm. Bankier, Esq., one of the Magistrates of Glasgow, and others, with the following inscription, which our vanity does not forbid us here from disclosing, with a degree of cherished pride not unworthy, we hope, of the occasion:—"Presented to Peter Mackenzie, Esq., by a few of his fellow citizens, as a token of their respect for his meritorious exertions in exposing Richmond and the Spy system, Glasgow, 1835."

Nor did this compliment daunt our ardour in any way, but on the contrary inspired it with further devotion to a degree which we hope our readers will excuse us for mentioning, because we think it is somewhat interesting in other respects, as they will soon see, but of course they are respectfully left to judge of it for themselves.

The great Reform Bill being, as we have already shown, triumphantly carried and passed into law ; and the bloody wicked Spy system in Scotland being thus vouched or authenticated in an English Court of Justice, beyond all further doubt or dispute,—the villian Spy himself being overthrown or non-suited, and all the sorrows and woes which he had created in this part of the kingdom—his machinations, stratagems, and spoils being ended, we began seriously and solemnly to think of the *Victims* then alive, but banished far away in distant lands, chiefly through the dire effects of that cruel Spy system exposed and demolished, with its hydra-head, never, never to start again into existence in this happy land,—at least we pray so.

No power on earth could restore the butchered, mangled bodies of these other victims—Wilson, Hardie, and Baird. The scaffold had closed upon them for ever ; and no one could replace the blood shed at Bonnymuir, or stop the gashes then inflicted. But the *living* victims of Richmond's villainy, far away ! Ah ! what should we do for them ?

We sketched out a petition to the *Reform King*—the great earthly fountain of mercy—William the Fourth, praying His Majesty to take their sad case into his Royal consideration, and with the facts then established, to grant them a Free Pardon !

Twenty or thirty of these victims, our readers may remember, from some of our previous numbers, were left under sentence of death at Stirling, but were banished for life. We ascertained from their friends or relatives that fifteen or eighteen of them were then supposed to be alive in bondage at Sydney.

Before despatching that petition to the King, we took

the wise precaution to consult with Lord Jeffrey about it, because he had been the chief counsel for the condemned prisoners at Stirling, and afterwards filled the eminent situation of Lord-Advocate for Scotland. He was well aware of all Richmond's machinations in Glasgow. His Lordship most gladly and joyously entered into our notions about the Petition to the King; and as he was leaving office at the time, he cordially recommended us to the kind consideration of his successor in office, viz., John Archibald Murray, afterwards Lord-Advocate, and one of the Lords of Session. Perhaps it is not altogether out of place for us here to remark, that we had published a short memoir of his Lordship, with a lithograph likeness of him—the first and only one of him ever done in Glasgow—holding the original Scottish Reform Bill in his hands, and we sent a copy thereof to his Lordship in London, attending his arduous duties in Parliament, which led to the following holograph letter from him, which, we think, we may well be proud to publish here for the first time:—

“ 13 Clarges Street,  
London, 13th June, 1832.

DEAR SIR,—I have only this evening had the honour of receiving your obliging letter of the 26th, with the copies of the engraving which you have been pleased to present and forward to me.

I should be most unreasonable and ungrateful if I could feel otherwise than flattered and gratified by the honour which you and your subscribers have done me, in thus distributing and accepting the portrait of an individual who has little other claim to such a distinction than may be thought to arise from his having awlays advocated principles which are now professed by the great majority of his countrymen.

The print appears to me to be very respectably executed—of the likeness, of course, I am not qualified to judge; but this, I suppose, is not of any great importance, as it is rather to the opinions and public

conduct of the individual than to his features that you wished to show your regard.

The expression of that regard, I beg leave to assure you, I receive with great gratitude and satisfaction ; and only regret the trouble and expense to which you have been put by this manifestation of it.

I have the honour to be,

Dear sir,

Your obliged and faithful servant,

F. JEFFREY.

To Peter Mackenzie, Esq.,  
Glasgow."

We knew his successor, the Lord-Advocate Murray, very well, and often corresponded with him ; and it is singular to note the fact that he, too, was of counsel for poor old James Wilson, condemned to death in Glasgow. Mr. Murray warmly espoused our proposal for the Petition to the King, and recommended us to follow it up without any delay, declaring that if any remit or reference was made to him as Lord-Advocate, by the Secretary of State or Ministers of the Crown, he would bestow upon it his best attention, which was all we could ask. Thus encouraged by those able and distinguished men, we opened up some other channels of communication to further the end in view ; we plied our never-failing friends in any cause, Mr. Wallace, M.P. for Greenock, and Mr. Hume, M.P. for Middlesex, both in favour with the Government of that day ; but there was yet another who had greater personal influence with the King himself than all of the above, and that was the Hon. Admiral Fleming of Biggar and Cumbernauld, for the King, being an old sailor, was glad to see the Admiral at his levees, and chatted most graciously with him. In politics the Admiral was to our heart's content. In the struggles for Stirlingshire, Dumbartonshire, and Lanark-

shire, we often came in contact with him, and a more dignified, affable, and obliging man than the Honourable Charles Elphinstone Fleming was not to be found. Those who may yet remember his handsome face and grey flowing locks, will not allege that we have underrated him. We went to London intent on our mission, glowing all over with animation about it. We saw the Admiral. He took it up with the very warmest interest. He read the petition, and highly approved and complimented us about it, and pledged himself that he would place it in His Majesty's own hands at the very next levee in St. James' Palace. This, of course, gratified us in the extreme, and our gratification was perfect and complete when we soon learned that his Majesty had directed that petition to be placed in the hands of Lord John Russell, then Secretary of State for the Home Department, in order that it might receive the most favourable consideration. In the month of July same year we had the felicity to be apprised that His Majesty, on the 21st of that month, had, in St. James' Palace, most graciously commanded that a Free Pardon, under the sign manual, should pass in favour of the Bonnymuir victims, at New South Wales, or wherever they were in His Majesty's dominions!

The following is a true duplicate of His Majesty's Pardon, transmitted to us in Glasgow, and we dare say none of our numerous readers will be displeased to see it published in this place:—

“WILLIAM REX.

(Signature of the King.)

“Whereas the persons hereafter named were, at a Session of Oyer and Terminer, holden at Stirling, in and for the County of Stirling, on the 25th day of August and the 5th of September, 1820, tried and convicted of High Treason, and had Sentence of Death passed on

them for the same, but afterwards received a Pardon on condition of being Transported to the coast of New South Wales, or some or other of the islands adjacent, viz., Robert Gray, Andrew Dawson, Allan Murchie, Thomas M'Farlane, John Macmillan, James Cleland, Benjamin Moir, Alexander Johnston, David Thomson, Wm. Clarkson *alias* Clarkson, Alexander Hart, William Smith, Thomas M'Culloch, Alexander Latimer, Andrew White, James Wright, Thomas Pike *alias* Pink, and John Barr.

We, in consideration of some circumstances humbly represented unto us, are graciously pleased to extend our grace and mercy unto them, and to grant them our *Free Pardon* for their said crime. Our will and pleasure therefore is, that you do take due notice hereof, and for so doing this shall be your Warrant. Given at our Court at St. James', the twenty-first day of July, 1835, in the sixth year of our reign."

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"To our trusty and well-beloved Major-General Sir Richd. Bourke, Captain-General and Governor-in-Chief of our territory of New South Wales, or the Captain-General or the Commander-in-Chief for the time being, and all others whom it may concern.

By His Majesty's command,

(Signed)

J. RUSSELL."

"A true Copy."

We lost no time in apprising Macmillan at Sydney of this most gratifying intelligence for him and his other exiled friends. In truth, he had previously written to us in Glasgow, as, strange to say, he had got eyes at Sydney on the little "Loyal Gazette," published in Glasgow, and he wrote to us pouring forth his exultation at it, not more so, perhaps, than Sir Colin Campbell (Lord Clyde), who told us in Glasgow, long years afterwards, that nothing gratified the men of his regiment, the glorious 93rd, composing the long red line at Balaclava, from the drummer boy, he said, up to the Colonel commandant, than the *Glasgow Gazette* with some of its stirring news from home. Some may think that it is only great vanity for

us to mention these things, but if any other man can do it, let him do it ! We speak, we hope, from the heart to the heart, without any disguise ; and is that not the right way to give some of these Reminiscences, whether the language be polished or not ? We care not a straw for envious or ill-natured sneers :—“ A man’s a man for a’ that ! ”

Yet, strange to say, the King’s pardon, which we have quoted, miscarried by some strange means or other (which we are now to speak about) at Sydney. John Macmillan, *after the lapse of two years*, wrote home to us gratefully thanking us for what we had done for him and his surviving companions ; but conveying his great surprise that the tidings of the King’s pardon had not been communicated to him either by the Governor or any of the authorities in Sydney. It remained, therefore, as it were a dead letter for him !

Astonished and indignant with this information from John Macmillan, about the non-receipt of his pardon, we sent it directly to Mr. Wallace (who was then attending his duties in Parliament), requesting that he would show it to Lord John Russell, by whom that pardon was countersigned as Secretary of State, three years before, or question him in the House of Commons on the subject.

Mr. Wallace sent us, by return of post, the following copy of a letter he had that day addressed to Lord John Russell :—

“ 2 King Street, St. James’ Square,  
London, 7th June, 1839.

MY LORD,—I beg to enclose a letter from John Macmillan, lately a convict at New South Wales, to Peter Mackenzie, Esq., of Glasgow. The letter will expose to your Lordship the monstrous fact of fourteen men, who had obtained a free pardon in 1835, through the clemency of his late Majesty, and the humane views of your Lordship as his

adviser in such matters, having been kept in bondage as convicts for *three years after the time at which they ought to have been restored to freedom*. Feeling assured that your Lordship will cause a strict and thorough inquiry to be instituted immediately into the alleged facts as contained in John Macmillan's letter, I shall only add that I trust confidently the parties who have been accessory to, and guilty of, this gross neglect or unjustifiable presumption, will be visited with a punishment quite as severe, and degradation no less marked and obnoxious, than is the unwarranted continuance of the severe punishment and consequent degradation of fourteen of our free fellow-citizens so justly demands.

It is further my duty to inform your Lordship that John Macmillan's letter will be publicly published by Mr. Mackenzie in that widely circulated newspaper, the *Scotch Reformers' Gazette*, and I shall take care that a copy of this, together with your Lordship's reply, shall also appear, so that the relatives and friends of the unfortunate men may be informed where the blame really rests, and the steps you intend to take for the relief of the injured and oppressed, and for the condign punishment of those who have been guilty of the cruel wrong which has been inflicted on my unfortunate countrymen. May I request to have John Macmillan's letter returned to me ?

I have the honour to remain, my Lord, your obedient servant,

ROBERT WALLACE.

To the Right Hon.  
Lord John Russell, &c., &c."

Mr. Wallace afterwards transmitted to us the following official reply from Lord John Russell, which we have carefully preserved :—

" Whitehall, 18th June, 1839.

Sir,—I am directed by Lord John Russell to acknowledge the receipt of your letter of the 7th instant, enclosing one from John Macmillan, who was transported some years since to New South Wales for High Treason, and who now complains that he has only recently been apprised of the free pardon which was granted by his late Majesty to him, and certain other persons in the same condition, in the year 1835 ; and I am to acquaint you that his Lordship will cause an immediate reference to be made on this subject to the Colo-

nial authorities, with the result of which you shall be made acquainted.

I am, sir, your obedient humble servant,

S. M. PHILIPS.

To Robert Wallace, Esq.,  
M.P., &c., &c."

In sending us these papers, Mr. Wallace, M.P., writes as follows :—

"London, 24th June, 1839.

MY DEAR SIR,—I now return the letter you had received from John Macmillan, dated Sydney, 1st December, 1838 ; and along with it you will receive the copy of one I sent to Lord John Russell along with Macmillan's letter, and that received in reply to it, all of which you are at liberty to publish, if you shall think proper to do so, for the information of the public, and especially the friends and relations of the sufferers.

I ever am, my dear sir, yours very sincerely,

ROBERT WALLACE.

To Peter Mackenzie, Esq.,  
Glasgow."

Our narrative now, at this point, is nearly finished. The Governor at New South Wales was severely reprimanded, if not actually recalled, by the British Government. Some of the victims joyously returned home to this their dear native land, as free-pardoned men ; others of them breathed their last far away ; others of them spared in life preferred to remain in the land of their adoption with the King's pardon in their possession, which, we learn, led them into fame and fortune in Australia. One of them in particular, viz., John Macmillan, took care to send us home a remarkable trophy, and our readers may well be surprised to hear what it was,—none other than the actual *irons* which chained his legs from Stirling Castle to Botany Bay, and now returned back by him to this country after he had become a free pardoned man.

He confided these irons to us as a *memento* of his gratitude, and a strange memento it surely is! Has the like of it, we boldly or proudly ask, been ever known in this realm?—yea, the very irons of the condemned prisoner, sentenced to death (with his companions) at Stirling, and after revolving for thousands of miles, now in the quiet possession of the historian in Glasgow, who has been trying, under the blessing of God, to rescue their memory from opprobrium and oblivion! If any person doubts this, we are ready to show those identical irons, weighing nearly 20 lbs., with the letter of John Macmillan transmitting them. It is certainly a strange piece of history this, but it is true in all its details; and we defy any human being to challenge or contradict it. All of those prisoners—at least the majority of them—knew the fact that the hand still spared to write these Reminiscences was the original and main instrument, under Providence, which achieved the great triumph for them by the King's pardon; and the only reward he earned on the subject—he never desired any other—is the proud consciousness that, during all his life long, and on not a few remarkable occasions (let others nibble at him as they please), he has endeavoured to perform his duty to his country in the face of friends as well as foes; and his humble confidence is this, that these crude sketches will leave no stain (in so far, at least, as he is concerned), on the good name or political *status* of the City of Glasgow!

## CHAPTER XXXII.

## SOME OTHER PASSAGES WORTH NOTICING.

WE intended to have ended these sad chapters here ; but we feel we must say a little more on the subject, of a more pleasing nature, which, in the nature of things, cannot, we should think, possibly offend any of our indulgent readers.

As far back as the year 1831, we had the honour to receive the following kind and interesting letter from Joseph Hume, Esq., M.P.:—

“London, 14th June, 1831.

MY DEAR SIR,—I thank you for the copy of Muir’s remarkable life, which I think you have brought forward at a very proper time, when the public are supporting, in the most triumphant manner, those great principles for which, in Scotland, in 1793, Messrs. Muir, Palmer, Skirving, and Margarot were persecuted, even to death, for advocating.

Being a member of that Committee which undertook, after the decease of Major Cartwright, in September 1824, to prepare a Monument to hand down to posterity *his* persevering and meritorious exertions in the cause of Parliamentary Reform, I have been requested to preside at a public dinner of the friends of reform, to be held here on the 20th of July ensuing—the day on which a Bronze Monument is to be erected to the Major, in Burton Crescent—at which there will

be a good opportunity of expressing those opinions of Parliamentary Reform which the ardent friends and supporters of that cause entertain. I shall be happy to see you present on the occasion.

Whilst we are ready to erect monuments to conquerors and statesmen, who have been successful in *their* career, though often of questionable utility and humanity and good government, we have too long neglected the erecting of monuments to those patriots whose exertions have been more meritoriously and perseveringly directed to promote measures calculated to advance the best interests of the people ; and I think the time has now arrived when we should raise, as of old, statues in honour of the honest, virtuous, and unfortunate *Martyrs* in the cause of Liberty.

I am inclined to make these observations to you, the Biographer of Muir, who was sacrificed by the party who so long and so shamefully domineered in this country ; and if I might offer an opinion to you, who have stood forward to vindicate the memory of Thomas Muir, I should say, take measures immediately for erecting a monument which will hand down to posterity his name in connection with the other Scottish sufferers in the cause of freedom.

I shall with pleasure give my mite for so important an object, and I am satisfied that my countrymen will come forward with alacrity to enable you, and the friends of reform in Scotland, to complete the good work, that it may stand as a beacon to future Governments, to avoid acts of tyranny and oppression, such as these excellent and virtuous men have suffered ; and, at the same time, to encourage all honest and independent men to persevere in advocating and supporting those great principles on which alone Governments can be permanently secure, and the people free, independent, virtuous, and happy.

I remain your obedient servant,

(Signed) JOSEPH HUME.

To Peter Mackenzie, Esq.,  
Glasgow."

On that hint we spoke. It was a proud letter for us, as it might be to any other man to receive at the time, and we went to London agreeably to the kind invitation of Mr. Hume, to attend the dinner therein referred to. The best of English and Irish Reformers were there. Mr.

Hume was in the chair, supported by Sir Francis Burdett (then in his glory), Sir William Molesworth, Mr. Henry Warburton, Alderman Wood, Mr. Whittle Harvey, Daniel O'Connell, Henry Grattan, Richard Shiel, and at least ten or twenty other distinguished Members of Parliament. At the request of Mr. Hume, the chairman, we gave the memory of the Scottish martyrs; and following up his own letter above quoted, and that is the reason we have here published it, Mr. Hume was so kind as inform us a few days afterwards that he had already set a-going a subscription sheet in London to perpetuate their memories. It was headed by Mr. Hume himself for £25, followed by the Duke of Norfolk and the Duke of Bedford for £10 each; by the Earl of Essex, Lord Worsley, Lord Brougham, Mr. Coke of Norfolk, afterwards the Earl of Leinster, Lord Holland, Sir John Easthope, Admiral Sir Edward Codrington, the Right Hon. Edward Ellice, the Right Hon. Cutlar Ferguson, and upwards of forty other Members of Parliament, for sums of from £5 to £10 each. We wish we could make room for all the honourable and distinguished names in our possession, transmitted by Mr. Hume, but the entire subscriptions managed by Mr. Hume, who acted as secretary and treasurer, including the mite of £5 from ourselves—would we had it in our power to have made it £500 for that and other meritorious objects—amounted to the handsome sum of £1100!

With that sum it was determined to erect a monument to the martyrs of 1793, on the Calton Hill of Edinburgh, in sight of the Court wherein they had been tyrannically condemned. Some of the old inveterate Edinburgh Tories attempted to oppose it, and actually applied to the Judges of the Supreme Court for an interdict; but their Lordships, to their great honour, refused the interdict, and the

monument proceeded. It was on this occasion that Francis Jeffrey (Lord Jeffrey), taking his seat amongst the Judges of the First Division, expressed himself in the following admirable language, well worthy of being treasured still :—

“ **MY LORDS**,—I am unwilling to believe that the promoters of this monument really wish by it, as is insinuated, to encourage contempt for lawful authority. But even if I could think that they were actuated by so malignant an intention, I should feel confident that the experiment must end in their signal disappointment. The evil of any lesson in such a form depends wholly on the spirit in which it is read, and not on the purpose with which it may have been promulgated, and I have no fear of it now being read, by the people of this country, in any but a safe and even salutary sense. The thoughts which such a monument should suggest, even to those most opposed to the views of its founders, are naturally of a solemn and a sobering character ; and if in some they may still be mixed up with feelings of anger at supposed injustice, and in others of unmerciful reprobation of offences, of which the mischief and the penalties have been long ago consummated, I can only say that the blame will be with those who continue, on either side, to cherish sentiments so uncharitable ; *and that if there be any place where the influences of the scene, in which they are suggested, are likely to soften them down to a more humane and indulgent standard, it is when that scene is laid where the wicked cease from troubling and the weary are at rest, and where everything should remind us of our own frail mortality, and of that awful Seat of Judgment before which none of us can hope to be justified, except through mercy.*”

“ *Semper honos, nomenque tuum, laudesque manebunt.*”

After the lapse of several years, consequent on the above (but we were always in uninterrupted correspondence with him), we received the following letters from Mr. Hume, which will show how the monument progressed in Edinburgh :—

“ London, 19th January, 1843.

**MY DEAR SIR**,—Since I wrote you yesterday, it has occurred to me

to inquire why you do not notice the proceedings of a small party, still in the Council of Edinburgh, against the Monument to the Scotch Reformers of 1793-94?

You once did good service to oppressed innocence, and I had expected you would have raised your powerful voice, in the *Reformers' Gazette*, in support of the moral character of the unfortunate Martyrs.

You were instrumental in preparing a volume of the history of those men, and of their lives, and many of them found their way here;—will you inquire whether any copies of that book remain, and how many, and at what I can purchase them? and oblige,

Yours sincerely,

JOSEPH HUME.

*N. B.*—The *Sun* (of London) and the *Caledonian Mercury* have been doing good service.

J. H.

To Peter Mackenzie, Esq.,  
Glasgow."

That rather chiding note from Mr. Hume, pulling us up for seeming neglect of duty (but it was not really so) led to the following:—

"Bryanstone Square, London,  
17th August, 1844.

MY DEAR SIR,—I leave London this day for Edinburgh, to lay the Foundation Stone of the Monument to the Political Martyrs of 1793, on Calton Hill, on the 21st instant, where I hope to see you.

If you have a copy of the Life (or lives) of these Sufferers, printed in 1831, I wish you would send me one to the British Hotel, Queen Street, Edinburgh, as I have not one to refer to, by which you will oblige,

Yours truly,

JOSEPH HUME.

To Peter Mackenzie, Esq.,  
Glasgow."

It was a great comfort, after all we had written and done, to be present in Edinburgh on that occasion. There was a dinner given in Edinburgh, in Gibb's Royal Hotel,

Prince's Street, on the 21st of August, 1844. Mr. Hume in the chair, supported by the Right Hon. the Lord Provost of Edinburgh, Sir James Gibson-Craig, Bailie Gray, Mr. Duncan M'Laren, J. M. Bell, advocate, Mr. Tait, and others of the most respectable citizens of Edinburgh; and some eloquent and heart-stirring speeches were made, which we cannot more particularly refer to in this place.

## CHAPTER XXXIII.

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### A GLANCE BACKWARD, BUT IN THE RIGHT DIRECTION IN GLASGOW.

"Patriots have toiled, and in their country's cause  
Bled nobly, and their deeds, as they deserve,  
Receive proud recompense. We give in charge  
Their names to the sweet lyre. The historic muse,  
Proud of the treasure, marches with it down  
To latest times; and Sculpture in her turn  
Gives bond in stone, and ever-during brass  
To guard them and immortalise her trust."

COWPER.

IF, after the doings about Richmond the Spy, the Pardon of the King to the surviving Bonnymuir victims, the erection of the monument in Edinburgh to the martyrs of 1793, as above published, anybody shall suppose that we have been either mercenary, selfish, or sordid writers, we may take the opportunity of dispelling it triumphantly by the few following additional facts, bearing in a still more extraordinary way on some of those proceedings already narrated.

The eloquent Talfourd in his address to the Jury in Richmond's case truly stated that the Exposure of the Spy System written by us in Glasgow, was brought out

in sixteen weekly or monthly numbers, price twopence each. Our share of the profits, we confess amounted to a pretty good round sum, which we wish we had at this moment. Not one single sixpence did we put of it in our own pockets, for we resolved at the beginning, that whatever profits there were, should be applied, so long as she lived, to the sustenance of the widowed mother of poor Hardie, who had given to us his letters; and that the remainder of those profits should be devoted to the erection of a monument to Hardie and Baird on the lands of Thrushgrove, adjoining this city, where the first great meeting for Reform had been held in the year 1816.

These sentiments we communicated to Mr. Turner of Thrushgrove at the time, who addressed to us the following letter, which we may be excused for publishing in this place, for reasons which will immediately appear:—

“Thrushgrove, 29th October, 1832.

DEAR SIR,—I so much approve of your exertions to get up the Monument to Hardie and Baird, whereby a triumph will be obtained over the tyrannical conduct of the infamous system pursued by the Government of Sidmouth and Castlereagh in 1820; and learning that you have met with opposition and difficulty in procuring ground on which to erect the monument, I hereby offer to you sufficient space on my lands of Thrushgrove, where, as you are aware, the great meeting of the inhabitants of Glasgow was held this very day sixteen years ago, and you may therefore proceed with the erection as soon as you please.

I am, dear sir,

Yours sincerely,

JAMES TURNER.

To Mr. Mackenzie.”

The truth is, we were originally intent on having the monument erected in the Churchyard of Stirling, where their mortal remains were immediately deposited after their execution, and we went repeatedly to Stirling for

that purpose. We are glad to say that we obtained the ready consent of the Rev. Mr. Bennie and his session to the erection ; but the then Provost and Magistrates of Stirling peremptorily forbade it, and hence, and from other causes, this letter of Mr. Turner, which can do his memory no injury at any rate.

Therefore the monument, at some considerable expense (we need not tell how much, since it came only from ourselves), was erected in Thrushgrove, on the 10th day of November, 1832, with this inscription :—

Sacred to the Memory of

ANDREW HARDIE, AGED 28; AND JOHN BAIRD, AGED 32;

WHO WERE

BETRAYED BY INFAMOUS SPIES AND INFORMERS,

AND

SUFFERED DEATH AT STIRLING, ON THE 8TH DAY OF SEPTEMBER, 1820,

FOR THE CAUSE OF REFORM NOW TRIUMPHANT.

—  
1832.

It is most pleasing for us to remember the fact, and some may be surprised to hear it now, that we inaugurated the monument by a public dinner that day, in the Argyle Hotel of Mr. Dugald Sinclair, one of the best of its kind then in Glasgow, but forming now part of the great emporium of Messrs. Stewart & M'Donald, wherein they have flourished—and most deservedly flourished,—extending their business, not only from Argyle Street, but upwards to Buchanan Street, in one of the most gorgeous buildings of its kind in the city. If Dugald Sinclair, who kept that hotel, and charged only 1/6 per head for his dinners, from one end of the year to the

other, could start alive and clutch one single week's drawings of the current tills of Messrs. Stewart & McDonald, we guess he would think himself nearly as rich, in relation or degree, as Baron Rothschild. What marvellous changes we have seen in Glasgow truly!

Upwards of 120 respectable reformers sat down to the dinner in that Argyle Hotel, on the occasion referred to, including deputations from Paisley, Greenock, and other places, heartily approving of the procedure. By unanimous concord, we had the honour of being placed in the chair, and we shall not say whether we performed the duties rightly or wrongly. In looking back, we cannot remember one unpleasant sound about it; and it was the more remarkable, for its numbers and unanimity, because the Glasgow newspapers said nothing about it at all; they can give plenty of paragraphs now about chimney sweeps and dirty drabs in the police courts, but they were most remarkably "tenacious" then — tenacious to a degree, lest the tales of the spy system would choke some of their best patrons or customers. On what other principle can it be explained, that some of the most important incidents, affecting the freedom and best interests of the city of Glasgow, were by them ignored? The same petty feeling, we are sorry to observe, exists in some quarters more or less still; but these pages can tell their own tale, and get on triumphantly, without any adventitious aid. We would be ungrateful wretches, however, if we did not mind some more lofty and generous souls.

At that dinner, rescued from the fangs of death, was the celebrated Andrew Mackinlay, who stood trial for his life on several occasions, before the High Court of Justiciary in Edinburgh, on the capital charge of High Treason, for administering the Treasonable Oath concocted by Rich-

mond the Spy, and often spoken about in these pages. Poor old man! notwithstanding of his manifold and cruel sufferings, we are almost ashamed to say that he was left to die in penury and want in this city. He was regarded by many as a loathsome criminal reptile, steeped to the neck in treason, and richly deserving the gallows; yet he was innocent of the wicked intentions, under that Treasonable Oath prepared by Richmond, as the child unborn. He often came and told us his sad stories, after he was released from Edinburgh Castle and the bar of the High Court of Justiciary, where the flower of the Scottish bar defended him and his case, which often thrilled through both Houses of Parliament; but save a sixpence and a shilling occasionally—and sometimes the length of half-a-crown, which he received from ourselves—for his starving family, he rarely saw, as he said, *white* money in the city of Glasgow. We presented him with a free ticket to that dinner for the monument to Hardie and Baird, consequent on his own important previous trial in Edinburgh, as before referred to; and we addressed a few observations to him from the chair, complimentary to him for his honesty against some of Richmond's machinations, and soothing him somewhat for his sufferings and providential escape. He endeavoured to reply in a light and heartsome spirit, and we were getting up a subscription paper for him at the table, but he suddenly left the room, and we never beheld him in life again. The excitement at the moment—the vivid recollections of the trials he had endured—and the miraculous escapes he had made, probably pierced his emaciated and shattered frame to the heart's core, and he died, we are almost ashamed to say, with no stone to mark his memory.

In later times we lamented to see a cold-blooded attack,

in one of the Stirling papers, upon the memory of General Graham, the Lieut.-Governor of Stirling Castle, for his alleged cruelty to Hardie and Baird, and the other prisoners ; and this attack indirectly included Major Peddie, the Fort Major, whose duty it was first to receive the prisoners, and see after their safety or supervision. It has always been made a point with us in regard to our own duty, under all diversified circumstances, to protect the innocent and exonerate the blameless, when we fairly entertained those convictions. No matter whether Tory or Whig, Reformer or Anti-Reformer, we have faithfully endeavoured to act on the upright rules of Truth and Justice. We felt indignant at the base accusations against General Graham, and the most unwarrantable ones (by implication) against Major Peddie, because we remembered distinctly that amongst the last words of Hardie and Baird on the scaffold, they desired the Sheriff attending their execution “to express to General Graham and Major Peddie *our sense of gratitude for the humanity and attention which they have always shown to us.*” We therefore got into some correspondence on the subject, which was commented on very properly, we think, by our friend of the *Stirling Journal*, to whom we here beg to pay our respects. This led to the following interesting letter, addressed to us by the good and venerable Fort Major Peddie, still alive in Stirling Castle, and long life and vigour be to him in his old glorious days ! The father of the Major, we may remark, formerly held the same honourable position as Fort Major of Stirling Castle ; and the Major was at the formation of the 21st Regiment of Fusiliers now in Glasgow :—

“ Stirling Castle, 8th March, 1859.

MY DEAR SIR,—The perusal of your very graphic ‘Old Reminisc-

cences' has given me much gratification, and has quite refreshed my recollection of the stirring events you so well narrate. They will be new and surprising to the present generation of Glasgow people. My present intrusion is caused by your promise of giving an account of the conflict at Bonnymuir ; and to speak of the gallant and humane conduct of Lieut. Edward Hodgson, of the 10th Hussars, who commanded the party. Although he had seen Baird and others deliberately aim and fire at himself, he cantered up to the wall—Baird took a stone from the wall to dress his flint—the lieutenant had his horse killed under him as he leaped over, his sergeant severely wounded, he succeeded in capturing the whole party. The only wound then inflicted was a severe sabre cut on the frontal bone of a powerful man, Alexander Hart. A lad, Alexander Johnston, escaped into a morass, and fired his pistol as fast as ever he could load; when the brave and generous officer, Hodgson, perceived it, he shouted out to his troops, '*Save the life of that spirited young boy !*'

In my former letter, I alluded to the general bearing of Baird. When he was brought into the Castle, he stepped from amongst the other prisoners, and, addressing me, said, 'Sir, if there is to be any severity exercised towards us, let it be on me; I am their leader, and have caused them being here. I hope that I alone may suffer.' He added, 'They have not had much to eat since they left Glasgow, I beg you will be kind enough to order food for them.' Throughout he never shrunk from the position he then assumed. I send you a copy of a song sent me by Allan Murchie, one of the prisoners, of which he was not a little vain, and which the respited prisoners sang with great glee.

Thanking you for your former kindness, which I highly appreciate, believe me, my dear sir, yours faithfully,

W. PEDDIE.

To Peter Mackenzie, Esq.,  
Glasgow."

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" BONNYMUIR—(BY ONE OF THE CONDEMNED.)

TUNE—*Johnny Cope.*

(*Sic. orig.*)

" Although our lives were ventured fair,  
To free our friends from toil and care,  
The British troops we dint to dare,  
And wish'd them a good mornin'.

Its with three cheers we welcom'd them,  
 Upon the muir or bonnie plain,  
 It was our rights for them to gain  
 Caused us to fight that mornin'.

With pikes and guns we did engage ;  
 With lion's courage did we rage—  
 For liberty or slavery's badge  
 Caus'd us to fight that mornin'.

But some of us did not stand true,  
 Which caus'd the troops them to pursue,  
 And still it makes us here to rue  
 That ere we fought that mornin'.

But happy we a' ha'e been  
 Since ever that we left the Green,  
 Although strong prisons we ha'e seen  
 Since we fought that mornin'.

We're a' condemned for to dee  
 And weel ye ken that's no a lee,  
 Or banish'd far across the sea,  
 For fightin' on that mornin'.

If mercy to us shall be shown,  
 From Royal George's kingly crown,  
 We will receive't without a frown,  
 And sail the seas some mornin'.

Mercy to us has now been shown,  
 From Royal George's noble crown,  
 And we are prepared, without a frown,  
 To see South Wales some mornin'.

ALLAN MURCHIE.

Prisoner in Stirling Castle, 1820."

We have already stated that it was our original design to place the monument over the graves of Hardie and Baird at Stirling, but in that we were then defeated by the then Tory Magistrates of Stirling. It is singular,

however, to relate now in these pages, that many years afterwards, viz., on 20th July, 1847, through the exertions of others—and in particular of Mr. Matthew Cullen—the then Lord-Advocate of Scotland, viz., A. Rutherford, with the sanction of the Secretary of State for the Home Department, and the Sheriff of the County of Stirling, actually permitted the remains of Hardie and Baird to be exhumed from that grave at Stirling and carried to the Sighthill Cemetery in Glasgow, on this one solemn condition, that it should be done *privately*, and no sensation statement made about it to the public. So there, up yonder in the Sighthill Cemetery of Glasgow, beautiful for its situation, as is also the Necropolis, the remains of Hardie and Baird at this moment quietly repose, reminding us of the terrible but pathetic words in one of Hardie's own letters, written in Stirling Castle after he had received his awful sentence :—

" My trial and sufferings will go through another investigation before a tribunal ten thousand times more terrible than that before which I lately stood. You would likewise," said he, " hear of the manner that my poor frail body is to be mangled, viz., hanged, beheaded, and quartered ; but this is not all, that will not suffice, my remains are to be left to the disposal of His Majesty. But what matter is all this to me, although they should take my bones and grind them to powder, there shall not be a particle of them lost, but shall be gathered together again. I am relying on the merits of a blessed Saviour for a happy reception. My last hour on earth is drawing to a close. My sun is nigh set, but I trust it will rise again to set no more."

It does not become us to say another word more on that plaintive but tragical story. We subjoin the following letter from the Lord-Advocate Rutherford :—

" Gwydor House, Whitehall,  
London, 5th May, 1847.

" **SIR,—**I have laid the memorial for the relatives of Andrew

Hardie and John Baird before Secretary Sir George Grey, and I have the satisfaction of informing you that if the Kirk Session of Stirling see no objection upon other grounds, opposition will not be made on the part of the Government to the removal of the remains of these unfortunate men from their present place of interment. But this permission is given under the express condition that the removal shall take place without any procession or concourse or attendance of people, but in the presence of a few friends only.

I trust to your discretion in seeing this condition faithfully complied with, and I have sent a copy of this letter to the Session-Clerk, so as to relieve you of any difficulty in that quarter. I have also sent a copy to the Sheriff of the County, that he may be aware of the circumstances in which the removal is permitted.

I am, Sir,

Your obedient Servant,

ANDREW RUTHERFURD.

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POSTSCRIPT.

We have been tripping over some of our earliest writings. A faithful friend, of forty years' standing, has waited on us this week, and begged that we would print in this place the *peroration* affecting the case of Thomas Muir and his compatriots, which we wrote five-and-thirty years ago, and dedicated to FRANCIS JEFFREY, the then Lord Advocate of Scotland; and we comply the more readily because some of our aspirations have come to pass. We had been speaking about the first Reform Bill, and the cold shade of neglect shown towards Muir and his compatriots, and closed with the following words:—

“ Shall this glaring omission,—this national reproach,—remain in our country much longer? The victory of the Reformers is at hand. The great truths of civil and religious liberty are now everywhere triumphant. And shall Thomas Muir, the firm and undaunted patriot, the conscientious martyr to *principles* now freely borne abroad in the *Senate*, in the *Court*, and in the *Forum*,—shall he, we ask, be *forgotten* by his countrymen, to whom he has left so touching, so noble an

example. *No!* We feel assured that the period approaches when *justice* will indeed be done to this eminent high-minded man, and his band of compatriots ; and we confidently anticipate that we shall soon see the capital of Scotland, or this his native city, adorned with a *monument* to his and their memory.

But if these, our fondest hopes, shall not be realised ; if this, our humble but earnest appeal in their behalf, shall only be made in vain ; if no kindly heart shall respond to our call ; if men shall merely cry *Reform!* and *Liberty!* with their mouths, while their hearts are cold, narrow, and contracted, or utterly insensible to the loftier springs of action ; if they of this generation shall basely forget the men who fought the first and bravest battle for them, we shall indeed be greatly grieved—but, thank God, we shall not be dismayed. We look to higher prospects. Yes, we have the great satisfaction to think, that whatever the men of this world may say or do, a day is fast approaching when Thomas Muir will again meet with his friends and his foes—with his judges and his jury, face to face—at a bar where the hearts of all men shall be laid open, where *tyranny* shall be deprived of its iron rod, and where white-robed Justice shall sit *omnipotent*, to avenge the wrongs of the oppressed, and to bind up the wounds of the broken-hearted !

(Signed) PETER MACKENZIE."

"Shades of the slaughtered ! shall the blood  
Spilt on the block be ever dim ?  
Behold ! the blushing crimson flood  
Hath called for vengeance unto HIM !  
Your tears and agony and sighs  
Have risen entreating to the skies ;  
And lo ! your last exulting hymn,  
In dying tones, 'mid tumult sung,  
In Heaven's high palaces hath rung."

## CHAPTER XXXIV.

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### THE EARL OF DURHAM IN GLASGOW.

ONE of the best and ablest men in the Administration of Earl Grey, whom we always delight to call the Father of Reform, was his son-in-law, the Earl of Durham, a young nobleman of great talent and patriotic feeling. He made one of the best speeches at the great Banquet to Earl Grey in Edinburgh, at which many people from Glasgow were present, and he took leave to express his regret that the Administration of Earl Grey, which had by that time been dissolved, was not enabled to carry out some good thorough measures of Reform which the the country had looked for, and were most justly entitled to expect. That speech, more than any other, thrilled through the country, and raised the highest glow of enthusiasm for Earl Durham. We can speak to the fact, that it created uncommon delight in Glasgow, though some of our Glasgow Magistrates, with the best intentions in the world, did not shine very conspicuously at that banquet in Edinburgh—but eloquence is a gift which every man does not possess. It became known that Earl Durham was making a tour, for the first time, in the Highlands of Scotland, and that he was to stay for some

days at Inveresshie, the seat of his Right Honourable friend, Edward Ellice, M.P., and an able man he was, much esteemed for many years in the House of Commons. A few intrepid spirits in Glasgow held a meeting, and conceived that it would have a good effect, and be a most excellent thing, to hail Earl Durham to this city, and to entertain him at a Public Banquet on his return from the Highlands. The idea was eagerly and enthusiastically entertained. Many, however, doubted that the Earl, who was supposed to be in delicate health, would decline the banquet, and move through Glasgow quietly. Unknown to any person, we privately put ourselves in communication with the Earl, and had the honour to receive the following note from him, which now sees the light for the first time :—

“Inveresshie, Sept., 25, 1834.

SIR,—I have to thank you for your very kind and friendly intimation of the good feeling existing toward me at Glasgow.

Such demonstrations of public confidence are indeed most encouraging.

Believe me yours very sincerely,

DURHAM.

To Peter Mackenzie, Esq.,  
Glasgow.”

With that private note in our possession, we went on cheering up the proposed banquet to the Earl of Durham in Glasgow. Mr. Oswald, the popular M.P. for this city, gave it his most hearty support. Sir John Campbell, at that time the Attorney-General of England, and afterwards Lord High-Chancellor, afterwards came to visit Glasgow, and lunched with Mr. James Ewing, the other M.P. of the city, in his elegant self-contained house at the head of Queen Street, surrounded with some splendid

trees, and many crow's nests thereon, but these have been chased for ever away from that district by the Edinburgh and Glasgow lines of Railway. Yet many still remember that pretty house of James Ewing, LL.D., at the head of Queen Street. He was one of the most able and munificent of merchants that Glasgow ever saw. We once twitted him as being the *Foreman* of James Wilson's Jury, executed for High Treason in Glasgow, and we have the following note from him, under date the 23rd August, 1831:—

"As to the trial of poor Wilson, I can only repeat, that while I felt the most painful reluctance in the voice which I gave as a juryman on oath to administer the law as it stood, I have the testimony of my own conscience as to the purity, the independence, and the clemency of my conduct, *that I exerted all my humble efforts subsequently to spare his life;* and if I erred, I did so in common with all the rest of the jury."

That candid confession, with the remembrance of his own munificent donations of more than £20,000 to the Merchants' House in Glasgow (never surpassed in early or in modern times), demands now our own small tribute to the memory of James Ewing.

But the Attorney-General of England, great as he was in Glasgow on his visit to Mr. Ewing, was as nothing then, in the estimation of the Reformers of Glasgow, compared with the brilliant Earl of Durham. It was soon found that there was not a place large enough in all the city wherein to dine the banqueting people. The City Hall was not then in existence ; and the Athenæum, or Corporation Hall at the Cross, could not contain one tithe of the applicants eager to join in this banquet. Under these circumstances, Messrs. John Scott & Son, the eminent wrights and builders, undertook to erect a handsome pavilion, on the area of ground fronting the High

School of Glasgow, capable of containing 1400 or 1500 individuals, at an expense of some hundreds of pounds. Nearly 1000 applications for tickets to the banquet were already made, when, seeing it take so well, it was decided that the price of tickets should be half-a-guinea each ; and on that announcement upwards of 500 additional applications were speedily made, and the Pavilion had to be increased in size for the reception of such a vast dining company. When completed, such was the demand for tickets, that they went to a premium, and in place of 1500, they might have gone on to 3000, so great was the popularity of the affair. Mr. Thomas Davidson, junr., was unanimously appointed secretary, to superintend the other necessary arrangements, and the following notification was made—

“ PUBLIC DINNER TO THE RIGHT HON. THE EARL OF DURHAM.

“ A Public Dinner will be given to the Right Hon. the Earl of Durham, by the Reformers of Glasgow and the West of Scotland, upon Wednesday, the 29th October current, at five o’clock P.M.

*Chairman—*

James Oswald, Esq., M.P.

*Croupiers—*

Colin Dunlop, Esq., of Tollcross.

Wm. Stirling, Esq., of Cordale.

John Douglas, Esq., of Barloch.

A. G. Speirs, Esq., of Culcreuch.”

We give the following advertisement which we have long preserved from the files of the *Glasgow Chronicle*:—

“ The Committee have made the following arrangements, by which

they trust that all confusion will be avoided, no preference being given to Stewards, they will enter and range themselves with the rest of the company. The number of gentlemen who are to dine in the hall being 1400, they will be formed into fifty divisions of twenty-eight, including the Steward of each division. The following gentlemen have undertaken the office of acting Stewards :—

William Bankier.	James Hedderwick.
Andrew Bannatyne.	Robert Hutchison.
D. J. Bannatyne.	Archd. Harvey.
Robert Bartholomew.	Alex. Johnston.
James Beith.	Alex. Kellar.
J. S. Bell.	John Ker.
William Bennet.	John M'Gregor.
John Birkmyre.	Peter Mackenzie.
Henry Brock.	John Mitchell.
James Christie.	Patrick Mitchell.
James Couper.	James Moir.
William Couper.	W. P. Paton.
William Craig.	James Perston.
John Cross.	Matthew Paston.
George Crawfurd.	William Russell.
John Dennistoun.	Andrew Rutherford.
Alexander Denny.	George Stevenson.
Alexander Dick.	William Stirling, jun.
Alexander Field.	Alex. Tennant.
Allan Fullarton.	C. J. Tennant.
Captain Fullarton.	Charles Todd.
Charles Gray.	John Turnbull.
J. B. Gray.	John Watson.
William Gray.	William Watson.
William Hamilton.	William Weir.

These gentlemen having undertaken the duties of acting Stewards, the Committee trust that their directions will be cheerfully acquiesced in by the meeting, without which in so large an assembly, it will be impossible to prevent confusion.

In order to increase the accommodation for the public, a gallery is erecting at the east end of the pavilion, and the tickets will be sold in the Town Hall at 12 o'clock on Friday the 24th instant.

The manner of admission to the Hall and to the gallery will be described in a future advertisement.

By order of the Committee.

(Signed) THOMAS DAVIDSON, Secy."

Every available ticket was speedily bought up,—every-  
thing for the great banquet itself going on most favour-  
ably and harmoniously ; and, as we had been the first in  
Glasgow (though we kept the secret profoundly concealed)  
who had broached the subject to Lord Durham himself,  
which led to his favourable response above quoted  
(never seen in print till now), we took the liberty of  
further writing to him letting him know all that was  
going on in Glasgow about it, and the following is the  
reply we had the honour to receive :—

" Lambton Castle, Oct. 14, 1834.

SIR,—I thank you for your letter, and the gratifying information  
that the arrangements for the Dinner are proceeding in the most  
cordial and harmonious manner. It would, indeed, be a misfortune  
if it were otherwise, as we have all the same object in view—the  
public good.

Yours very sincerely,

DURHAM.

To Peter Mackenzie, Esq.,  
Glasgow."

Of course much more important communications by far were made to him from Glasgow. The then Duke of Hamilton, grandfather of the present Duke, had invited him to stay a day or two at Hamilton Palace ; and the Acting Chief-Magistrate of the City, viz., Wm. Gilmour, Esq., of Oatlands [Provost Graham of Whitehill had previously resigned], was invited, along with the Magistrates of the City, to dine with the Duke and the Earl at the Palace, on the Tuesday, which they did. The Magistrates

and Town Council, with the exception of the Tory Dean of Guild (James Martin) and the Tory Deacon Convener (Archd. M'Lellan), had unanimously resolved to confer the Freedom of the City upon him ; and the Trades of Glasgow, with few exceptions, had also unanimously resolved to walk forth in procession to meet him as he entered the city, and to hail him in their centre on the public Green of Glasgow.

It was, as we very well remember, one of the brightest Autumn days in Glasgow we ever saw :—

“The day dawned,” says the old *Chronicle*, from which we now quote, “as the most anxious of the citizens could have desired. By nine o’clock of the morning, the city was the scene of animated bustle, presenting the appearance of a joyous holiday. Numerous and well dressed bodies of males were to be seen moving amongst the streets under their respective banners, and accompanied by thrilling bands of music. Between ten and eleven o’clock a universal movement was made towards the eastern approach of the city, and in a short time the assemblage on the road eastward of Parkhead was immense. Marshal Watson, of the City Police, and a strong body of police officers were in attendance, and preserved the strictest order among the joyful people. The Marshal arranged his men on each side of the road at a short distance beyond the grand triumphal arch, which was tastefully formed with green bushes and flowers across the road. In the centre of the arch, there were the words, “Through the arch of Truth let Liberty pass.”

About half-past eleven o’clock his Lordship’s carriage was seen approaching from Hamilton Palace, and as it drew near a universal shout burst from the assembled multitude. The number of flags was immense, and most of them had very patriotic and appropriate mottoes. His Lordship alighted from his carriage and walked plainly attired at the head of the procession to the Council Chambers, where the Magistrates were in waiting to receive him. The shops on the whole line of the procession were shut, and the streets from side to side were one moving mass of spectators. The windows and even the house tops were crowded, and every contrivance was made to obtain a prominent place for viewing the procession.”

We remember well how the brilliant eyes of his Lordship glistened when he came to the Cross of Glasgow, and beheld the Statue of King William, and the myriads of human beings there congregated—stretching up the High Street and down the Saltmarket—and disclosing at the same time the matchless scenes of our Trongate and Argyle Street, for there are no other streets like them even at this day in Europe. The Earl was struck with amazement. He was leaning on the right arm of the Acting Chief-Magistrate, viz., Bailie Wm. Gilmour. That fine looking old man, in his greyhairs, took occasion to point the Earl's attention to his own crowded warehouse windows in the neighbourhood, with the waving of handkerchiefs from the fairest of hands, as was indeed the case with thousands of other windows that day in Glasgow; but, in token of his respect to the Magistrate, and admiration of the countless throng, the Earl stood uncovered for a few moments at that spot—his countenance beaming with amazement and apparent joy; yet we saw the tears—the silent tears of suppressed joy stealing down his most handsome face at that reception in that particular quarter. The time-honoured Cross of ancient Glasgow has seen many glorious scenes;—we doubt whether it ever saw any one equal to that, save the subsequent one for the reception of Queen Victoria.

Not trusting ourselves further to describe the celebrated entrance of Earl Durham into Glasgow (although from what has been already stated we were brimful of glad joy on the occasion, and had probably one of the proudest hearts beating at its core that day in all the city), we must here have recourse for a few minutes longer to the delineations of our old friend, the departed *Chronicle* :—

“At eleven o'clock the doors of the Court Hall were opened. The

Hall was fitted up as at the old Circuit Court. The Magistrates' seat and the jury box were reserved for the Town Council. The table in front of the bench was occupied by the Town Clerks and others officially connected with the city. The centre seats were reserved for the stewards of the dinner, and deputations from Greenock, Paisley, and other places, including one from the City of Perth, bearing the Freedom of the Fair City to the Earl.

At one o'clock the loud cheering on the outside announced the approach of the procession. The Magistrates went out and received his Lordship officially under the piazzas, and he was ushered into the crowded Court with cheers such as were never heard in it. After receiving the freedom of the city, his Lordship, attended by the Magistrates and their officers in official costume, left the Justiciary Hall for the Hustings erected on the public Green, to receive other public deputations in that place. The crowd was immense, but orderly. The air," says the *Chronicle*, "was rent with joyous acclamations from the assembled multitude, while groups of them might be seen pressing forward in every direction to obtain one glance of the illustrious stranger. Nor was the motley character of some of these groups one of the least imposing features of the scene; the old were cautiously moving onwards, the young and the middle-aged were dashing along with the greatest energy, while children were raised in the arms of their parents and their guardians to behold the vast assemblage, met to do honour to one of the most distinguished statesmen of the age. There would at least," says the *Chronicle*, "be upwards of one hundred and twenty thousand on the Green."

Now for the dinner!—the most singular and animated, but *unruly*, that ever perhaps took place in Glasgow. Some emissaries had propagated a story that the Pavilion, run up within twelve days, was insecure, if not dangerous. This led to a warrant (or remit) from the Dean of Guild, to Messrs. John Small, Robt. Miller, and Walter Bremner, wrights and builders in Glasgow, to examine and report; and these gentlemen, in compliance with the said warrant (or remit) now upon our table, declared that they "had carefully inspected the Pavilion before mentioned, and we (they) humbly report our opinion, that it is in every

respect a safe and secure erection. Signed,—John Small, Robert Miller, Walter Bremner."

The surmise further ran, that some inveterate Tories—hating Durham and his principles—in order to kick up a row, and blast the repute of the banquet, had surreptitiously purchased a few tickets, to give to some uproarious fellows, for the very purpose of creating dissension within the pavilion itself. Whether that is true or not, the fact undoubtedly is, that a bottle of wine (whether wisely arranged by the stewards or no is another question that need not now be decided), was placed on the table, opposite the seat of every gentleman, before the dinner commenced. Some of them grasped at the bottle and nearly finished it, in their empty stomachs, ere the grace for the banquet was uttered by old Professor Mylne. They got into a state of excitement and uproar ; yet when Mr. Oswald, the Chairman, entered the Pavilion, with his illustrious friend the noble Earl, some three quarters of an hour after the appointed time, the whole audience silently started to their feet, and then gave three rounds of most rapturous applause. If there were any devious or discontented spirits amongst them at that moment, the loud huzzahs baffled and smote them with its electric fire, piercing at least one thousand five hundred joyous hearts. The Chairman having on his right the Earl of Durham, the Acting Chief-Magistrate of the City (Wm. Gilmour), Charles Tennant of St. Rollox, Bailie Wm. Mills (afterwards Lord Provost), J. S. Buckingham, Esq., M.P., Bailie James Lumsden (afterwards Lord Provost), and Professor Mylne; on the left, the Honourable Arthur Kinnaird, Alexander Speirs of Elderslie (father of the present M.P. for Renfrewshire), Bailie John Fleming of Claremont, W. D. Gillon, M.P., Robert Wallace of Kelly,

M.P., Mr. Bontine of Ardoch, &c. The Croupiers were supported by Provost Hardie of Paisley, Provost Denny of Dumbarton, Andrew Mitchell of Maulside, Alexander Dennistoun of Golphill, David Hamilton, architect, &c.

The dinner being quickly gulped down, and the usual preliminary toasts given—including, for the first time at any banquet in Glasgow, the health of the *Princess Victoria* (now our gracious Queen)—the following ODE, prepared for the occasion by Dugald More, was sung with exquisite effect. There is a monument of him, erected by a few friends, in the Necropolis. Sandy Rodger, the poet, also wrote some spirited verses for the occasion, which were much applauded. There is likewise a small monument to him in the Necropolis.

ODE BY DUGALD MORE.

“ Welcome, Durham, to our land!  
First of freedom’s sacred band!  
Round thee here unflinching stand,  
The children of the free.  
Hearts as firm as those who freed,  
On the morn of Runnymede,  
Throne and altar from the weed  
Of soulless tyranny.

Welcome, Durham, to the clime  
Where the mountain breezes chime,  
And the cataracts shout sublime,  
Like the trump of fame;  
Where the voice of Wallace breathed,  
And the sword of Bruce, unsheathed,  
To his bleeding land bequeathed  
A high and deathless name.

Welcome to the hardy North—  
Land of poetry and worth—  
Fairest portion of the earth—  
A gem amid the sea!

A land which, in this world of woes,  
Heaven blessed as from the deep it rose,  
Breathing across its mountain snows  
The glorious sound, Be Free!

We're the sons of those who stood  
Firm in many a field of blood—  
Douglas, Wallace, unsubdued—  
And we bid thee hail !  
When the bitter conflict's done,  
To thy honours, nobly won,  
Thou hast hid war's blood-red sun  
With mild freedom's veil.

Then welcome to the land which spurns  
Chains in which the patriot mourns !  
Welcome to the land of Burns,  
Now rescued from the storm !  
Pledge high to Freedom's sacred cause,  
The King, our altars, and our laws,  
The press, our homes, our wooden wa's,  
Lord Durham, and Reform."

It may give some idea of the interest felt in this *dinner* out of doors, that the Pavilion—gorgeously fitted up, colours buff and blue, with three immense chandeliers, fitted for nearly 3000 jettees—was thrown open for the inspection of the public, from 12 till 3 o'clock, on the day of dinner—admission one shilling each ; and within that short space of time, at least 5000 persons visited the Pavilion, whereby a sum of nearly £150 was realised, which enabled the committee to cover much extra expense. There was a pretty gallery fitted up for the ladies, representing the fame and beauty of Glasgow. They came in full dress ; and amongst them was the young and lovely daughter of Earl Durham.

In giving *the* toast of the evening, Mr. Oswald, the chairman, took occasion to observe that the father of the

noble Lord sat as preses of the meeting of the friends of the people for Reform, in the year 1792 ; and he might declare that in no one point had the son deviated from the principles of his father. (Enthusiastic cheers.) Mr. Oswald, after some very able and sensible observations, proposed the health of the Earl of Durham.

“The toast (*says the Chronicle*) was received with an enthusiasm far exceeding anything we have ever seen in Glasgow, the cheering having continued for many minutes, the ladies in the gallery most heartily joined.”

The Earl made a most impressive and eloquent acknowledgement — some passages of it were truly splendid :—

“ His speech, his form, his action, full of grace,  
And all his country beaming in his face.”

He concluded with the following sentiment—“ May the recollection of the glorious struggle for Reform, during the last half century, ever animate Britons in the demand for, and in the maintenance of, their rights.” (Rapturous plaudits.)

After Lord Durham’s splendid oration, the bustle and confusion again began ; no other speech was listened to with patience or becoming attention, and at 12 o’clock Mr. Oswald vacated the chair, preceded by Lord Durham, who retired to the George Inn, in George’s Square, very much exhausted, and no wonder, considering the vast fatigue he had in the course of that day necessarily undergone. In fact, it affected his health for some time afterwards.

The *Glasgow Chronicle* correctly states that, besides two special reporters from the *London Times* at the banquet, the *London Morning Herald* and *Morning*

*Chronicle* had each two reporters. From Edinburgh there were five or six ; there were likewise two from Hull, and two from Durham.

“The London reporters (adds the *Glasgow Chronicle*) left the banquet a little before eleven o’clock, and set off from the Tontine in a chaise and four, exactly at eleven o’clock, with three rounds of cheers from the assembled crowd.”

It was considered a great feat, in these days, to have this banquet in Glasgow on Wednesday evening published in the London *Times* of Saturday morning ! And it may be rather amusing to our readers if we cull out, and now present them with, the *Times*’ own account of it on Saturday morning :—

“ THE DINNER TO LORD DURHAM IN GLASGOW.

“We (*Times*) have received by *Extraordinary Express* from Glasgow, a report of the proceedings at the dinner given to Lord Durham in that city on Wednesday. Our express left Glasgow at 11 o’clock on Wednesday night, and reached us at 7 o’clock this morning.”

“We subjoin (says the *Times*) two short extracts from letters from our reporters—(the report of the dinner will be found elsewhere”—)

“ Greta Bridge, one o’clock.

“The dinner was a great and good one, and Lord Durham has spoken out about Lord Brougham. In drawing a comparison between him and Lord Melbourne, he declared with most marked emphasis that ‘Lord Melbourne was incapable of treachery or intrigue.’ I thought the roof would have come down with the rapturous applause.

Now for our adventures upon the road. Two rival papers are trying to run an express against us. We think they will fail, though intentionally or unintentionally they had nearly upset us. Our lamps were blown out in a storm we encountered in a muir beyond Hamilton,

and proceeding in the dark to the third stage, we ran foul of a post chaise standing stock-still in the middle of the road, and broke our splinter bar to pieces. This post chaise belonged to the ‘rival reporters,’ &c., &c.

The “rival reporters” now, if there be any such, are quite snug in modern railway carriages ; or if it took two nights, with that “*Extraordinary Express*,” from Glasgow to London, in the year 1834, it may be accomplished now, with the Electric wires, easily enough within the space of six hours ! Our forefathers, we may here again add, scarcely dreamed of such a *revolution* in the mode of travelling in the present century of this world.

We may wind up this banquet to Lord Durham (who afterwards became Governor-General of Canada, and died greatly lamented many years ago), with the following note we had the honour to receive from him :—

“ Lambton Castle, Nov. 8, 1834.

DEAR SIR,—I regret much that my illness deprived me of the opportunity of thanking you in person for your kind attention towards me, and your exertions in the public cause.

Nothing could be more gratifying to me than all the proceedings connected with my visit to Glasgow.

I hardly know how I can ever justify such honours so bestowed upon me.

Believe me,

Yours very sincerely,

DURHAM.

To Peter Mackenzie, Esq.,  
Glasgow.”

CHAPTER XXXV.

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## A STRANGE COMPOUND OF FACTS.

Two or three other remarkable events occurred in Glasgow that year of Lord Durham's Banquet, which we may as well notice.

## THE CELEBRATED REV. EDWARD IRVING.

We often heard him preach, as the assistant of the Rev. Dr. Chalmers, in St. John's Church, Glasgow, and had sometimes the pleasure of being in his company in the house of Mr. Wm. Smith of Polmadie. He liked a joke as well as any man ; and did not despise his tumbler of the real Glenlivet. When he was driven out of the Church of Scotland for his unknown tongues or heresies, he returned for a short time to Glasgow evidently in feeble health ; and we actually saw him riding on an ass one Saturday afternoon, in the month of October, 1834, in King Street of this city ; and on the following day he preached in the Lyceum Rooms, Nelson Street, where the meetings of the Political Union were wont to be held, and wherein the Faculty of Procurators of this city had a spare room for their first Library ! *Sic transit gloria mundi !*

### A REMARKABLE RAPE CASE FROM LANARK.

At the Glasgow Assizes that year, holden by Lords Meadowbank and Mackenzie, a fine good-looking lad of the name of Richard Hill, was accused of the crime of hamesucken, that is, breaking into a dwelling-house and committing violence on the person of a respectable female. He pled not guilty, and averred that instead of breaking into the house he was encouraged to enter it. The case was heard with closed doors, and of course, we could not give the particulars of it; but a most remarkable circumstance occurred. We happened to be walking up and down the piazzas at the front of the Jail, in company with Mr. Archd. Young, Clerk of the Peace for Renfrewshire, who had married the daughter of Mr. Robert Walkinshaw, of Parkhouse, Sheriff-Clerk of the same county. The chief witness against the prisoner was the female assaulted. When she left the Court at the close of her examination, she sat down on the steps of the Jail, and began to chat very freely and very *laughably* with several persons in that quarter. We overheard, with Mr. Young, some part of the conversation, and both agreed that it was exceedingly unbecoming, considering that it was a capital case, and that the very life of the prisoner perhaps mainly depended on the evidence she had just given to the Court itself inside. We were shocked to find that the gentlemen of the Jury convicted the prisoner, mainly, if not entirely, on the evidence of that woman ; and that Lord Meadowbank had put on the black cap, and had adjudged him to be *Executed* in Glasgow, between the hours of eight and ten o'clock, on the 8th October. The wretched man fell upon his knees on the dock, and implored their lordships to have mercy on him ; but Lord Meadowbank did not give

him the least ray of hope ; on the contrary, he adjured him to prepare for his great and eternal change. Petrified at this result, and staggered by the woman's conversation above alluded to, we lost not a moment in waiting, with Mr. Young, on Bailie Gilmour, the Acting Chief-Magistrate, and obtained a written order to the Jailor to allow us access to the prisoner in his condemned cell—the horrid iron room whereof yet remains. He gave us such a plain, unsophisticated, and apparently most artless statement, accompanied by references to other parties in the neighbourhood of Lanark, that we went thither, and found them completely corroborated in some of the most important details. Suffice it to say, that we drew up a Petition to the King, representing these circumstances, and praying for the Royal Mercy. From his position as an officer of the Crown in Renfrewshire, we thought it better that Mr. Young should indorse and transmit that petition to the Secretary of State, which he readily and most cordially did. In fact, both of us became perfectly satisfied that the young man under Sentence of Death was more sinned against than sinning.

On the 3rd of October we had the happiness to learn that a respite for fourteen days beyond the day of execution came for Richard Hill, to afford time for an investigation into some of the circumstances stated in his petition. This gave us much confidence, because we had, as already stated, ascertained some of the facts from personal inquiry, and had no fears of their breaking down. The condemned man, whom we frequently visited, clung to them with desperate fidelity. The then Sheriff-Substitute of Glasgow, viz., Mr. Walter Moir, was directed by Lord Melbourne, then Secretary of State for the Home Department (he afterwards became Prime Minister), to proceed

to Lanark, and submit his inquiries to the Lord Justice-Clerk. Mr. Moir was rather a slow coach of the olden school, but an excellent man he was in the main. He tarried too long at Lanark, and the post-chase bringing him back to Glasgow was capsized on the road. The delay thereby occasioned induced the Sheriff-Depute, Mr. Rose Robinson, to apply for further respite. The death-warrant was suspended, and the man ultimately received His Majesty's Free Pardon—all from the accidental circumstances which we over-heard, with Mr. Young, under the piazza of the entrance to the Justiciary Court House of Glasgow, as above alluded to. It is no exaggeration to state that we rescued that poor man from the gallows, with the co-operation of our friend Mr. Young!

#### A POOR FEMALE DELINQUENT RESCUED FROM MISERY AND WOE.

A fine, good-looking, motherly woman, of the name of Margaret Currie, neatly dressed, was placed at the bar of that Circuit Court of Justiciary in Glasgow (1832), accused of the crime of uttering a few shillings of base coin, given to her by her own husband for that purpose. The fellow was a worthless scoundrel—a drunken, dissipated, worthless wretch. She had three or four young children by him; and she was palming off these few base shillings actually for the purpose of supplying them with food. She was again in the family way to him, and Lord Meadowbank, remarkable more for his sternness than his humanity, adjudged her to be imprisoned in the Bridewell of Glasgow, and there kept at hard labour for the period of twelve months, and thereafter to be transported beyond seas for the additional period of seven years. We felt that to be a severe sentence at the moment, and the poor

creature herself shuddered at it, and burst out into loud fits of lamentation for her children. Old Provost Graham participated with us in these feelings, and seeing the delicate situation of the poor creature, he, in a day or two afterwards, went with us to the Bridewell, and entreated Mr. Wm. Brebner, the Governor (who was a most amiable and worthy man), to make the “hard labour” as gentle as he could, and to succour her with tea and sugar, &c., in the morning, in place of the thick porridge and sour milk, the then prison fare. Before we come to finish this story about that poor woman, we may here give one which Mr. Brebner himself told us regarding one of the greatest miscreants he had then in custody in the Bridewell—a fierce, savage fiend, who intended to have murdered the Governor and his assistant, to procure his escape. It was usual at that time to have three or four prisoners in the same cell, and one of them had the honesty to apprise Mr. Brebner of his danger. He soon separated the whole of them, and placed this bad one for a time in irons. He discovered, however, that these very irons were enabling the culprit to perforate the wall of his cell in a most ingenious way, and that a hole was nearly made to effect his escape. Without pretending to know anything of the matter, the Governor soon removed him to another part of the Bridewell, and took off his irons, at which the fellow expressed his thanks and gratitude. The Governor on this thought there was yet something good in the hardened heart, and asked if he would like some change of his food, and any exercise out of door in the back yard! The fellow spoke more warmly of his thanks and gratitude for such a change, and Mr. Brebner kept his eyes the more intently on him. He soon became one of the most tractable and obedient of prisoners; and the fierce

savage, from these incidental traits of kindness, became so devoted to Mr. Brebner, that the latter, after his term of imprisonment lapsed, made him one of his warders in the Bridewell of Glasgow ; and Mr. Brebner actually pointed him out to us in that capacity, which he held for many years. Thus the designing murderer became the dutiful and faithful servant.

But to return to the case of poor Mrs. Margaret Currie. She bore her next infant in the Bridewell, and we addressed a petition in her behalf to Lord Melbourne, humbly praying that the sentence of *transportation* beyond seas for seven years would be commuted. Mr. Oswald, M.P. for the city, backed up that petition at the Home Office, and we had the satisfaction to learn that although she would not be banished beyond seas, she must be sent to the Penitentiary at Millbank, London. On the 8th of July, 1834—after being in the Bridewell of Glasgow for nearly eighteen months—an order arrived for her transmission, with other prisoners, to the Penitentiary in London. She was then suckling her innocent little infant. Away she went, weeping and sobbing, at the parting with her other children, but the bitter wind is sometimes tempered for the shorn lambs. Not so in this case. When she arrived at the Penitentiary in London, the suckling infant was torn from her bosom, and sent back to Mr. Brebner, the keeper of the Bridewell in Glasgow, on the evening of the 22nd of that same month ! What could he do with it ? Must it remain in Bridewell for seven long years, or till the sentence on its unhappy mother had expired ? The infant itself could know nothing of this, but Mr. Brebner and his humane wife (many yet in Glasgow may remember her for her ladylike and handsome appearance), soon got a cradle provided, and the

infant nursed with tender care. But what were the feelings of the poor agonised mother, tortured and bereaved in this manner ? All our thoughts were directed towards her pining away in the Penitentiary. We took the liberty of remarking and publishing at the time, that never could any case more strikingly demonstrate the propriety of having a House of Refuge erected in Glasgow (for there was then nothing of the kind in it), than the present case. But we further took the greater liberty of addressing a strong letter of remonstrance to Lord Duncannon, who had then become Secretary of State for the Home Department, in place of Lord Melbourne ; and we sent that letter enclosed in one to Mr. Oswald, that he, if so inclined, might bring it under the attention of the noble Lord.

This reply came from the Under Secretary of State, Mr. E. J. Stanley (now Lord Stanley of Alderley, Postmaster General and one of Her Majesty's present Cabinet Councillors) :—

“ Whitehall, 11th August, 1834.

Sir,—With reference to the letter which you presented from Mr. Peter Mackenzie respecting the infant child of Margaret Currie or M'Taggart, a convict recently removed from the Jail of Glasgow to the Penitentiary at Millbank, I am directed to express to you Lord Duncannon's regret that the prisoner should have been subjected to so painful a separation ; and to add that his Lordship will now advise His Majesty to grant to the woman a Free Pardon.

I have the honour to be, sir,

Your most obdt. humble servt.,

E. J. STANLEY.

To James Oswald Esq., M.P.”

When we went to the Bridewell of Glasgow, on Friday evening, the 26th of September, 1834, to communicate that intelligence to the Governor, he actually wept tears

of joy ; and Mrs. Brebner kissed the little innocent baby, which smiled in her face, as if she had been its own doating mother ; and next day we dined in the Bridewell, with a small, choice, but happy and select party, for Mr. Brebner could do the agreeable as well as any Magistrate ; nor is it derogatory to add that we have often dined at his table with some of the most eminent clergymen in Scotland, including our old friend Mr. Wm. Allardyce, one of the famous ministers of Strathbogie ; and we could give many chapters about many other interesting cases in the Bridewell of Glasgow which we have handled in our day ; but the above may suffice for the present, with the narration of the fact that the poor banished creature, in this instance, returned to Glasgow with a grateful heart, and by the blessing of God she brought up her family in the paths of rectitude, welfare, and happiness.

#### THE FIRST ARRIVAL OF TEA IN GLASGOW.

We happened to take a stroll down to the Broomielaw on Thursday the 9th of October, 1834, and had the felicity to see the ship Mountstewart Elphinstone, arriving direct from Bombay, with the first shipment of TEA to the city —not the first tea that had been drank, for that beverage was in great repute since the year 1762 ; but this, we believe, was the very first shipment direct from India to Glasgow, consisting of 33 chests and 402 boxes, consigned, we think, to Messrs. Jas. Finlay & Co., and John Fleming of Claremont. It is related that an old country lady had a chest of tea sent home to her from her son in India. She did not know how to use it ;—the tea-pot to her was an unknown article ! she therefore placed handfulls of it in the *kail-pot*, and tramped it with potatoes and butter ; but she found no relish for it in that way, and distributed

it amongst her neighbours, who knew a great deal better about it. If that first small cargo created some sensation in Glasgow, as it undoubtedly did on its first arrival, we may be lost in wonder with the fact that last year, at the date of these present Reminiscences, the importations of tea from India or China to Glasgow, according to the circular of Messrs. Wm. Connal & Co., amounted to five millions, five hundred and fourteen thousand lbs. !

It may be curious here to notice the other historical fact, that tea was first brought to Europe from India by some Dutch merchants, in the year 1610, and sold at the rate of £6 and £10 sterling per lb. The first importation direct to England took place in the year 1726 above mentioned, when some 700,000 lbs. of it arrived for the consumpt of the whole United Kingdom ; whereas during the course of last year (viz., the year 1865), the arrivals and consumpt amounted to the prodigious figure of 121,102,074 lbs.

And it is further amusing, if not interesting, to notice that the first public tea sale in London, on the abolition of the exclusive privileges of the East India Company, took place in Mincing Lane, on the 19th day of August, 1834—exactly two months or so before the arrival of the Mountstewart, at the Broomielaw, with the original cargo above noted !

## CHAPTER XXXVI.

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THE BANKS OF CLYDE CASE—TAM HARVEY AND  
HIS DYKE—THE DRAGOONS, AND ALL AROUT IT.

WE are becoming very sensible that we have been fatiguing our readers too much about *politics* and other things of late, and we plead guilty that we have wasted many of the best years of our life with politics, bringing little or no benefit, we confess, to ourselves. An eminent statesman once declared, and we feel the force of his words, that

“Party is the madness of many  
For the gain of a few !”

Had we avoided politics—too long our hobby—and directed our attention with half the energy to other things, we are not sure but we might have been wheeling in our carriage this day, and enjoying other luxuries shared by many who have done very little by their own brains to earn them, yet we have been taught to acknowledge, in the lines of the poet, that

“Providence gives to every man  
The virtue, temper, understanding, taste,  
That lifts him into life, and lets him fall  
Just in the niche he was ordained to fill.”

And, in good sooth, we think we are much happier, and better on the whole, than some of those rich, disdainful, and miserly scrubs who make money the god of their idolatry, or worship the golden calf, or bow like menials to the man of reputed wealth, though his character be as black as the knave of clubs. There are too many of that kidney in the city, with upstarts of no genuine reputation, only known for their successful audacity ; but there are many more, we are glad to say, with noble and philanthropic hearts, who have won riches without a stain, and administered them with a degree of liberality which—though silent now from their own desire—may eventually cheer them through the dark valley and shadow of death, and conduce to their everlasting happiness in another sphere.

Whether these observations be fitting in this place or no, we have now to enter upon a chapter of Glasgow life, which strikingly proves the truth of the adage, that

“Vaunting ambition  
Sometimes overleaps itself.”

It is perhaps scarcely necessary for us to remark that the *whisky* trade was a roaring trade in Glasgow, as it still is, and will probably be to the end of time, at least till the millennium arrives, if it ever does ; but the Rev. Dr. Cumming and others have so often falsely or erroneously prophesied on that theme, that we surrender our judgment to the silent decrees of Heaven, remembering the lofty admonition, that

“Fools rush in where angels fear to tread.”

But long prior to the whisky trade in Glasgow, the *Rum* trade, in connection with the West Indies, was the

most extensive and profitable one. Rum punch, with the lemon and the limes, from Trinidad and Jamaica, was the ruling element at all dinner parties in Glasgow in the summer months ; but many could not want it even in the coldest days of winter—it warmed the blood (they said) so agreeably ; and piping rum toddy had a most agreeable flavour—more so than whisky—but the whisky got the mastery at last, and has kept it.

Much *smuggled* whisky—in the days o' langsyne—was distilled in the Highlands and Lowlands of Scotland, leading to much seizures and bloody battles, as the one near Garscube of this city can yet testify, though it occurred more than forty years ago. But when the large Excise duty on whisky was reduced, which diminished the zest for smuggling, and when *Licensed* Distillers of whisky came to be recognised by Government, a vast change occurred in the liquor trade. The distillers of whisky in Scotland o'ertopped the rum nabobs of Jamaica, while John Barleycorn—immortalised by Burns—became the order of the day in all broad Scotland. The licensed distillers of whisky, in fact, soon became mighty men. Some of them got a name and a fame which probably they did not quite deserve. Thus we had our Glenlivets and Ferintoshes, our Islays and our Campbletons, sending their whisky in big casks to Glasgow, instead of the small *bladders* which the rustic smugglers were wont to hide with their plaids on their backs, while tramping into Glasgow in the silent watches of the night. At last, to the astonishment of our citizens of Glasgow, a huge Distillery was erected at Port-Dundas, while others on a smaller scale began to rear their heads in the Gorbals, on the other side of our noble river, where few masts were then seen at the Broomielaw.

Without farther preface to this chapter, we now beg leave to introduce to our readers a very remarkable distiller indeed (or brewer of whisky), in Glasgow, viz., Mr. Thomas Harvey—better known, when he was in his prime and glory, by the name of *Lang Tam Harvey*. Originally he was a very poor man, with little education, acting in the humble capacity of a *carter* at Port-Dundas. He was then known to be a famous judge of horse-flesh, and at a horse-coupling (or a horse bargain) few or none could beat him. He left off the carting trade, and began on his own bottom the whisky trade, wherein the most illiterate, and sometimes the most depraved—whether at home or abroad—have made vast fortunes ; but of course there are good exceptions to all rules, as well as to every trade.

Mr. Harvey first commenced the whisky business in very small premises on the west side of Dunlop Street, nearly opposite the present Theatre Royal. His liquor somehow became famous—it was “nippy at the mouth” for the carters, as some of them loudly vouched ; and none of them in that quarter of the city would have their morning, or their noon, or evening dram, but at *Tam's Stores* in Dunlop Street. His whisky business rapidly increased on his hands. He extended it through many other quarters of the city. He opened up whisky shops here, and whisky shops there ; in fact, almost in every street in the city you had conspicuous sign-boards, with the title—“*Harvey's Divans* ;” and, to his credit be it here spoken, he kept the whole of his shops (or divans) in the most cleanly and admired order ; and his servants, for he came to have many, were selected by him for their convivial and social qualities, or other congenial allurements necessary for the whisky trade. No drunken carter, or

beast of burden, was ever fined in the Police Office for *carousing* to excess within the precincts of his premises. They might fuddle, or sing through all hours of the night, or till daylight of the morning (if they kept their hands to themselves) without the aid of the inquisitive police—

“We are na fou, we’re no that fou,  
We’ve just a wee drap in our e’e;.  
The cock may craw, the day may daw,  
But aye we’ll taste the barley bree.’

We sincerely hope that none of our ardent friends, the teetotallers, will smite us under the rib for saying these things.

At last, and sooner than many may suppose, Mr. Thos. Harvey was laying the foundation of a vast colossal fortune. He was “making (as the saying was) siller like sklate stanes.” He became proud—excessively proud, as many upstarts frequently do, with the till in their hands! The old Port-Dundas *carter* became a man of *ton*. He aped, or endeavoured to assume, the manners of a mighty gentleman ;—he walked the streets with all the airs of the old Virginian grandes who previously held sway in Glasgow, or he held up his head as high as if he had been the Lord of the Isles. No ordinary Glasgow gentleman could cope with *Lang Tam* in the matter or manner of dress. He was the very *Beau Brummel* of the city,—a strong, muscular, well-built fellow ; with ruddy whiskers, short cropped hair, and tremendous limbs and arms—the very embodiment of a powerful whisky distiller, for no weak, silly creature need pursue that trade with any long lease of life. He was truly vain of his own personal appearance, insomuch that he continued to have a new suit of clothes made for himself almost every week—some alleged that

he changed his clothes every day throughout the year ; and the belief ran that he bartered them away to some friends in Nova Scotia, receiving back the full value in other things. At any rate, he was rarely seen more than once or twice in the self-same dress ; and Mr. Donald M'Donald, then one of the most fashionable tailors in the city (whose shop graced one of the front entrances to the Black Bull tenement, belonging to the Highland Society of Glasgow), with Mr. J. S. Stubbs, another fashionable tailor then in Miller Street, had the fame stamped on them that *Tam Harvey* was their best living pattern card for all their clothing establishments. He frequently showed himself off in a *light blue* superfine coat, with glittering buttons ; sometimes in a shade of darker blue ; sometimes in claret colour, and dapple grey—rarely in the black ; always in fantastic or sprightly colours, and all colours of the rainbow ;—white and embroidered vests of every shape and variety ; sometimes in tight pantaloons, oftener in leather buckskin breeches ; white cotton or silken stockings, and polished Hessian or nice top boots, which really looked so pretty at one time on any man's legs. Nor was this all. He had his scarlet coats and velvet caps, for he became a member of the hunting and coursing clubs, and had blood horses of the highest mettle to carry him in the chase. He had his *groom*—a smart little boy, about the size of *Tom Thumb*—whom he took care to have dressed almost as smartly as himself ; and when he rode behind his master at a respectful distance on the streets—or when Mr. Harvey himself, seated in his high elegant tandem with two mettled horses in hand (the one before the other), dashed through the streets—few or none could vie with him in all the city. In the Theatre Royal in Queen Street (destroyed by fire)

he always managed to have a front seat in one of the best boxes, displaying his neat plaited ruffled linens and elegant pocket handkerchiefs, scented all over with the perfumes of Mr Henry Urquhart, who was then one of the King's *peruquiers* (so he called himself) near the Buck's Head of Glasgow. In short, Mr. Harvey, in outward appearance, was such a captivating fellow, with the repute of a large fortune—the one thing needful in Glasgow from that day to this, and still beyond it—that he was besieged by some of the best matrons in the city as the grand prize for their beautiful daughters, who trimmed their feathers for him in that view ; but he was not to be caught so easily in that way ;—he lived and died a most *miserable* batchelor, as we shall soon show.

With the great success, however, which had then so soon attended him, he purchased or built the great whisky distillery at Port-Dundas, for some £20,000 ; and the beautiful estate of West-thorn, a few miles to the eastward of the city on the banks of the Clyde, belonging to an ancient family of the name of Sword, having come into the market for sale, Mr. Harvey competed for it, and, to the astonishment of many, he actually became the purchaser of it at the price of £20,500 sterling. So much, you see, for whisky, with a run of luck basking in the sun, and perfectly unprecedented in the history of any previous *carter* in the city of Glasgow.

We are now coming to a memorable period of his life which should teach its lessons to all. Not contented with what he had thus acquired, he resolved to shift his old spirit shop in Dunlop Street to more spacious premises, which he actually built on the other side of the same street, with spacious vaults, which may be seen to this day as occupied by Messrs. Bulloch & Co., and others.

He was supposed at this period to be one of the greatest men in all Glasgow, but truly we may here once more repeat the lines (would that others would improve on them !), viz., that

“ Vaunting ambition  
Sometimes overleaps itself.”

Not contented either with the fine old Mansion-house of West-thorn—more spacious than any carter ever enjoyed—he formed plans for erecting a new Mansion, going the length of £10,000 for its erection, and—like Mordecai the Jew—sitting at his gates and looking down on the beautiful Clyde flowing past its banks (yet bounding his property of West-thorn), he could not brook the idea—he hated it, that any one else should come near the place except himself or his chosen friends, when he was pleased to invite them to his frigid hospitalities. In short, he wanted to shut up the river, and prevent all pedestrians from Glasgow from walking, as they were accustomed to do, and as their forefathers did for centuries before them, in that most beautiful retreat, enbalmed, as it still is, by the endearing name—“the Banks o’ the Clyde.” Aye, indeed, this once rustic Glasgow *carter* could whip his own horses with his original whip, which probably did not cost him more than sixpence ; but now he formed the lordly—say rather the scandalous and diabolical—design of literally whipping the honest and enlightened citizens of Glasgow into subjection, under his now proud, capricious, and unjust decree.

With that view, he built a tremendous stone wall down to the river side, excluding all pedestrians ; the younger children, no doubt, could spring over it, and dash or wade into the river, independent of him, yet in order to

prevent them from doing so, he sent out cart loads of broken glass from Glasgow—the necks of all the broken bottles he could collect—to cut the feet, as he avowed, of all “trespassers or intruders” on his domains. This heartless conduct, on the part of such a man, created, as might be expected, a storm of indignation against him. His old friends (the carters) now forsook his whisky shops in Glasgow. The villagers of Camlachie, Parkhead, and Tollcross became incensed against him, and they speedily demolished his stone wall. Instead of taking this significant hint to himself, in the way he should have taken it, our gentleman became mighty wroth, and assumed all the airs of the Grand Turk or the Russian Autocrat. He procured a fresh relay of masons from Glasgow, and soon replaced the stone wall, clenching it with iron stanchions, pikes, and other things. But the Camlachie weavers and others still showed pluck against the great distiller, now becoming exceedingly obnoxious in their eyes. They sallied forth one evening and again attempted to demolish the ugly wall, but they were repulsed by Mr. Harvey and his numerous armed retainers. The *sough*, however, of this last event soon ran to the Saltmarket of Glasgow, and aroused the sons of Bailie Nicol Jarvie—many of the best of whom actually resided, or had their places of business in that quarter, now greatly shorn of its former eclat and undoubted grandeur. Thus, for instance, Mr. James Duncan of Mosesfield and Balgray, one of the most celebrated booksellers in Glasgow—as his father was before him—had his shop on the eastern side of the Saltmarket, verging now towards the corner of London Street; and in that shop some choice spirits of the city frequently met to discuss, not merely the affairs of the city, but the greater affairs of the nation, and the

battles or defeats of Bonaparte, coming down to our own Wellington, with Soult, the French Marshal, &c. Old Mr. George Rodger, the first manager of the great Barrowfield works of Henry Monteith & Co., and father-in-law of the present respected Mr. Alexander Harvey, honorary Bailie of Provan, who was for many years in the Town Council, and filled the office (within the last twenty years) of Magistrate of the city ; Mr. Gabriel Neil, the good Glasgow antiquary ; Adam Ferrie, who emigrated to Canada, and became one of the leading men in the Legislative Council of that place ; Alexander Morrison of Ballikinail, late Dean of the Faculty of Procurators ; with, we think, Mr. George Baillie, who is now the oldest Procurator alive in Glasgow, and who gifted the munificent sum of £20,000 the other day to found a library in this city,—these gentlemen, and many others, were the frequenters of Mr. Duncan's *howff* in the Saltmarket ; and he himself was perhaps the most vigilant of any of them in regard to city matters. We remember well that he originally took up the cudgels against Mr. Thomas Harvey, and pummelled him by many sharp and exquisite letters in the *Glasgow Chronicle*, the only paper that then dared to cheep about liberal movements in Glasgow, and yet it was remarkably timid on the whole.

Mr. Harvey himself, dogged and determined in his resolution, viewed the citizens with apparent contempt. Nay, he regarded some of them as a parcel of lawless marauders, or, as he said, *ragamuffins*, coming to disturb him in the enjoyment of his lawful property. It was war to the knife with him against all such. He carried loaded pistols in his pockets. He actually planted two small cannon on the turret of his stone wall ; and, moreover, he engaged armed watchmen, and got ferocious bull-

dogs ready to snap at every person, whether man, woman, or child, who presumed to walk in that direction.

"Shall I not (he said) do what I like with my own ? which I have bought and paid for." And a similar sentiment was subsequently echoed on a memorable occasion by one of the great and potent Dukes of England, namely, His Grace the Duke of Newcastle, who, in his place in the House of Lords, declared that he could and would do what he pleased with his own. "No, my Lord," was the pungent answer of an eminent scholar, "property has its rights, but it has also its duties ;" and with that the haughty PEER became silenced. The -Glasgow CARTER, however, was much rougher and tougher in his composition.

It was under these circumstances that some intrepid clever young fellows from Glasgow, went out to the villages of Camlachie, Parkhead, and Tollcross, to rouse or lecture the natives respecting their interests and rights to the banks of the Clyde. We need not say whether we were of that number or not ; but this we can testify, that we often traversed the memorable spot, and wrote passages about it, which we still cherish with all the ardour of youth.

"We feel the gales that from ye blow  
A momentary bliss bestow ;  
While redolent of joy and youth  
We breath a second spring."

We cannot, however, pretend at this time of day to vindicate all the fierce and violent shouts then raised within the hearing of West-thorn, such as, "Down with the tyrant—down with his wall—destruction to his whisky shops," &c., &c. We well recollect that the

enraged colliers in the neighbourhood started from their coal pits

“Like sepulchral spirits  
From the vasty deep,”

and, with their pick-axes in hand, determined to undermine the ugly wall, and lay it prostrate. Nearly 300 of them had assembled for that purpose, singing “Scots wha hae wi’ Wallace bled,” &c., &c.; seeing which Mr. Harvey, for the first time, took alarm. He galloped into Glasgow, and in less than a couple of hours Mr. Rose Robinson, the Sheriff-Depute, came galloping out to West-thorn, with a troop of Enniskillin Dragoons, from the Barracks in Port-Eglinton Street, and surrounded and captured some twenty or thirty individuals—not, however, before they had effectually demolished the dyke, or levelled it to the ground. The individuals thus surrounded and captured, were marched into Glasgow, and committed to the Tolbooth thereof, on the evening of the 21st June, 1823. They received a most enthusiastic reception all the way—they were cheered to the echo by the vast crowds, from Camlachie to the Gallowgate, and down to the Jail itself. The dragoons themselves caught the inspiring shouts—and when they understood the fray, or the cause of it, they reined up their horses at the doors of the Jail, and actually took off their helmets in token of their silent approbation of the conduct of the prisoners. This exhibition of the dragoons pleased the mob mightily. They set up three hearty cheers for the Enniskilliners, and the prisoners themselves lustily joined in it on the very steps of the Tolbooth. Never did prisoners enter that Tolbooth in such joyous spirits; but we must reserve their remarkable trial before the Justiciary Court till a subsequent chapter.

Meanwhile, all the blunt *carters* of the city—no small number—began to be in perfect commotion, cursing and swearing at their late favourite, Mr. Thomas Harvey. He hardly dared to appear upon the public streets. His *divans* were deserted,—his customers vanished like a summer cloud. His customers—*drouthy* and plentiful as many of them had recently been—were never seen entering his spacious *divans*.

The other spirit dealers of the city, instead of supporting their brother chip in the trade, actually became the loudest against him. They were now thinking, perhaps, of number *one*, which some have construed to be self-interest all over. They, therefore, had tickets printed, and put in their windows to this effect—“None of Tam Harvey’s whisky retailed here, but only the true blue, the real Glenlivet,” &c.

This was a severe stroke to him in the way of business. His vast ready cash sales over the counter came almost to an end. He felt the blow, and he spoke dolefully about it to his few friends; but he consoled himself for a time by the fact, that what he had then lost by the diminished sale of his whisky was made up to him by a fine new rich bore of valuable coal which he had then unexpectedly discovered in the lands of West-thorn. Still he was check-mated here; for the signal ran from street to street, and from almost house to house, “None of Tam Harvey’s coals consumed here — let him burn his own fingers with them.”

Nevertheless, so dogged was he in his determination, that he resolved to re-build his obnoxious dyke. One piece of heartless cruelty again characterised his proceedings, which told powerfully against him, not merely in the estimation of the lower orders, if we may so speak,

but in the estimation of the higher classes of Glasgow. He again and again threw cart loads of broken glass into the river, and studded the margin of it with the necks of broken bottles, in order to cut the feet of the little children still wading in the place, as they were accustomed, and delighted to do, in the summer weather. This was a sort of negative or refined cruelty, which can meet with no palliation.

Better he had put a millstone about his own neck, and thrown himself into the river, for it slew him at last in the most ignoble way; but not till he had taken a most expensive journey to the House of Lords about it, as we shall soon show.

This then occurred:—Seeing him so inveterate and reprehensible in his conduct, a respectable deputation of the citizens, headed by Mr. James Duncan, the Saltmarket bookseller, waited upon Mr. Harvey, in his new “divan” in Dunlop Street, to reason with him, and, if possible, simply to get him to consent to leave a small *aperture* in his dyke, through which the citizens might pass and repass, enjoying their favourite walks on the side of the river according to use and wont. Instead of receiving the deputation civilly, he treated them with haughty scorn. We heard this from Mr. Duncan himself—“Had they come,” he said, “to insult him in his own premises?” “Nothing of the kind,” said Mr. Duncan; “we have come to get matters quietly and agreeably made up, if we can, for the public good.” “The public good!” said the towering aristocratic carter. “No, no; he would spend,” he swore, “£20,000 to maintain every inch of his dyke; and would not concede a pin’s point to them.” “Vera weel,” said Mr. Duncan, who was a quiet, douce, good, easy man;—“Vera weel, Mr. Harvey, since so you say—but wheesht,

wheesht a wee. There's an auld sayin', Mr. Harvey, ' Gif ye will to Cupar, ye maun to Cupar ;' so we bid you a very good morning, but aiblins some of us yet may meet you at the Pass of Thermopylæ ! ”

Perhaps the Carter never heard the word *Thermopylæ* before, renowned though it is in Grecian history ; so the deputation left him to battle with him in another and loftier direction. In a letter addressed to the *Glasgow Chronicle*, or old friend, Mr. Neil, wrote as follows :— “ I would suggest that a public meeting be immediately called, where those of our citizens who feel interested in opposing these unwarrantable encroachments will have an opportunity to attend ; and I have no doubt but that in a short time a handsome sum for this purpose will be collected and deposited with a respectable committee. *This will be rescuing our own rights from usurpation, and posterity enjoying those civil rights through us will revere our memory.* ”

Accordingly, on the 23rd of July, 1822, a spirited advertisement appeared in the newspapers, calling a meeting of the citizens in the Lyceum, Nelson Street, in order to appoint a committee of management, to protect the rights of the citizens against the usurpation of Thomas Harvey on the banks of the Clyde, and to collect subscriptions for taking proper steps at law with him.

An enthusiastic meeting that was ;—the Lyceum was crowded to the doors. The Post Office was then almost underneath it in Nelson Street ; and Nelson Street, with all the corresponding approaches to the Post Office, including Bell Street and Wallace Court, were literally blockaded by crowds of people anxious to obtain admission, and encourage the proceedings.

Let us now shortly enumerate the names and designa-

tions of the worthy men who became enlisted with hearty good will as members of the committee ; and let posterity, using the words of the advertisement calling the meeting above quoted, now “revere their memory.”

First and foremost of the group was Mr. Adam Ferrie, manufacturer, who acted as chairman. He was a real enthusiast in the cause ; he was deemed to be a *Black-Neb* in early political times. And we have already stated that he subsequently left Glasgow, and emigrated to Canada, and became the Honourable Adam Ferrie, one of the Senators of the Legislative Assembly of Canada. But he afterwards paid several visits to Glasgow, when nearly eighty or ninety years of age ; and he never came hither without doing us the honour of paying his personal respects to us. Next to Adam Ferrie in zeal for this cause was old Mr. George Rodger, of the Barrowfield works, already named. He knew every footstep of the old walks of West-thorn, for he had paced them in his boyhood hundreds and thousands of times. It was delightful to hear him descanting on the beauties of them in all his unadorned eloquence. Then there was Mr. Alexander M'Donald, feuar in Bridgeton, who, like Mr. Rodger, enjoyed these walks amazingly. James Paton, feuar in Camlachie, another of the same. James Reid, feuar in Parkhead, ditto, ditto. John Kinniburgh, feuar in Tollcross, a great favourite of the late Mr. Colin Dunlop of Clyde, M.P. for Glasgow. Alexander Brechin, miller at Clydesmill, a boon companion of the grandfather and great-grandfather of the present Duke of Hamilton, one of the tallest and stoutest men for muscular strength that the county of Lanark perhaps ever produced. He could lift and carry four men on his back at the same time ; and for drinking “rowths of liquor gude,” no man in the

empire could surpass him. When Mendoza, the great English pugilist, came to Scotland for the first time in the beginning of the present century, and challenged all Scotland, Mr. Brechin, the miller of Clydesmill—the property of the Duke of Hamilton, whose tenant he was for many years—without knowing anything of the *science* of boxing at all (if it be entitled to that name), levelled him to the earth with one blow, and then lifted him up and pitched him over his shoulder, much to the astonishment and delight of the Duke, who was entertaining the belligerants at his Palace. In later years, and while we were yet a youth, we often had the pleasure of meeting that wonderful miller in the house of his friend and neighbour, Mr. David Donald of Carmyle, whither we often used to go on Saturday afternoons, in the summer months, and wait till Monday, in company with Mr. Napier of Shandon, and others ; and on the Sunday, to the parish church of Old Monkland, where we often met with the great Mr. William Baird of Gartsherrie, who was then only a very humble personage, not so nimble in appearance nor so sprightly dressed as we ourselves then were ; and may we add the fact, that we often disbursed the reckoning “for buns and ale” between the sermons, in the village inn, costing about sixpence each to the lads and lasses. On one occasion, Mr. Wm. Baird checked the reckoning, and we threw down half-a-crown to meet it. He thought it was “rather too much !” He then never fancied that he would become one of the greatest millionaires of Scotland,—leaving incalculable wealth from the bowels of the earth, then only being discovered in that parish ; much less (descending to a lower scale) did the writer of these crude Reminiscences then imagine that he could put the present stories in print at any fixed

period of his life. Happening to be travelling with him one day from Ayrshire, shortly before his death, Mr. Baird, who was ever a quiet but strong-minded man, put us in mind of the above "half-crown reckoning," with some degree of relish. We replied somewhat jocularly, but truly, "Yes, dear Mr. Baird, I wish I had joined my plastic straps to your ponderous coal waggons at that time." He smiled at the remark, and kindly invited us to come and visit him at his splendid new estate and abode at Elie, but the opportunity was lost for ever. This is a digression, we hope, which may be excused—not without remarking that Mr. William Baird was for a short time M.P. for the Falkirk district of burghs; from which, we think, he retired, making way for the then Earl of Lincoln, late Duke of Newcastle, one of the favourites in the government of the late Sir Robert Peel; but the Earl was nearly vanquished in the Falkirk contest by the late Mr. John Wilson of Dundyvan, a man of great vigour and enterprise, who had also a remarkable run of success in the iron trade, which trade, fifty years ago, was little thought of, but now it has taken the most gigantic strides, astonishing the world. We may here further remark that Mr. William Baird was held in much respect by Sir Robert Peel, and attended several of his ministerial banquets in London, at periods of great national interest, preliminary to the repeal of the Corn Laws, &c. But this digression must not shut us out from Harvey's Dyke case. The other remaining members of the original Glasgow committee in that affair were Mr. John Whitehead, merchant, afterwards one of the city councillors and magistrates. He travelled through Canada with Bailie James Lumsden, afterwards Lord Provost; they were bosom friends, and there is no doubt of the fact that Bailie Lumsden, with

John Whitehead, John Mitchell, Alexander Hastie, Henry Brock, and others, projected the present flourishing Clydesdale Bank, originally in two small apartments at the head of Miller Street, in the year 1838; some original details of which are in our possession, as well as of the equally flourishing City of Glasgow Bank, which commenced business in the year 1839, in the premises previously occupied by Messrs. Dennistoun, Buchanan, & Co., corner of Virginia Street, adjoining the premises of the present Glasgow Chamber of Commerce. Another bank was shortly afterwards projected in two small apartments at the head of Miller Street (western side), by Messrs. Andrew Tennant, Andrew Rankin, Charles Hutcheson, and others, and some of its notes were actually printed, but Sir Robert Peel put his heel upon them by his Bank Restriction Act, and none of them were issued. This was to have been called the North British Bank, the throes of which are still perceptible in this city. We have interwoven these paragraphs about those important banks, and now we must stroll back for a few minutes longer to the banks of the Clyde case, and the marvellous proceedings connected therewith, now to be related. Joined with those other members of committee before named were Messrs. John and William Watson, most indefatigable in the cause, one of them the kinsman of our present active, amiable, and accomplished city chamberlain, Wm. West Watson, Esq., who, we take leave to say, if spared, as we pray he may be, to the age of his reverend sires, will make "Glasgow to Flourish" with its statistics from his able pen, in a more interesting and remarkable ratio than any of his distinguished predecessors, and amongst these we of course include our old departed and distinguished friends, Dr. Jas. Cleland and Dr. John Strang,

"Dear yet to memory's waste."

But towering over all the other members of that committee for his activity, either by day or by night, was Mr. James Duncan of Mosesfield, in whose back shop in the Saltmarket (ever honoured be the Saltmarket!) the whole outlines of the proceedings, from first to last, were carefully arranged ; and, in regard to the legal phraseology of the case, Mr. Duncan had always at hand his faithful friend and adviser the late Mr. Alex. Morrison, writer, who afterwards became proprietor of Balainkiel and Dean of the Faculty of Procurators, and purchased up the shares of the *Glasgow Herald* from Mr. Samuel Hunter, as to which we have a good story to tell at another time, imparted to us by the late Mr. James M'Nab, who was for many years its faithful reporter, and the only one it then had. We may remark that, at the period referred to, Mr. Alex. Morrison had his chambers in Nelson Street, with Mr. Wm. Lawrie, and the first dwelling house which Mr. Morrison occupied, when he married the handsome daughter of old Bailie Wm. Snell, was in the upper flat of one of the tenements of the same street, viz., Nelson Street, nearly at the east corner of Stirling Square. He was always in good practice, but this West-thorn case extended it greatly. It made him exceedingly popular, and led him to the very top of his profession as Dean of Faculty. The committee so appointed and so advised acted with the greatest cordiality throughout.

Money, as all our readers know, is the sinews of war, and almost of everything else in this world. Certainly no law plea of any importance, particularly a huge thumping one in the shape of a Process of Declarator, before the Lords of Council and Session, can be waged for any length of time without money. "Our wheels must be

well greased (said an old scribe), if you mean to win the plea or gain the victory." In the present instance a happy thought struck James Duncan, and it is rich and ludicrous almost to mention it, about the commencement for the *money*. There was at that time a *panorama* at the foot of the Saltmarket, displaying on painted canvas the great battle of Waterloo, with the previous siege or storming of Pampeluna and Sebastian—great events in the military career of the illustrious Duke of Wellington. James Duncan bargained with the showman for the use of the *panorama*, in the place where it stood in the Saltmarket, for three days and two nights, for the sum of £6 12s. cash paid down. The showman thought he had got a mighty good price from Mr. Duncan for the loan of the article ; and Mr. Duncan fell on the expedient of advertising that the proceeds of the admission money would go to aid the committee in the institution of their law plea against Thomas Harvey. Crowds repaired thither to see the *panorama*, which, but for the *Dyke* case, they might never have thought of doing—admission one penny for "grown up people," and one *bawbee* for children ! This led to the following burlesque correspondence in the *Chronicle*, from our friends Gabriel Neil and Jas. Duncan, which we hope we will be excused for publishing:—

"Gude save us, Maister Yeditor, what's the meanin' o' a' this din, an' clamour, an' hubbub, an' collie-shangie in your paper about a bit Dyke ? Hae ye nae ither thing to fill up your paper wi' than a ween bears and tigers. First comes a'e letter aboot 'public privileges,' 'banks o' the river,' and gude kens a' what ; next comes anither ane, written in anither style, pretendin' to contradict the first ane ; but, ha ! ha ! folks are no jist blin' yet. Then comes, Mr. Yeditor, a bleezin' account frae yoursel' jist like ane o' Bonaparte's bulletins aboot the knockin' doon or blawin' up o' some fearfu' strong dyke or fortification in the Peninsular.

## THE PER CONTRA FOR MR. HARVEY.

Noo, Mr. Yeditor, ye maun hear baith sides o' the question, an' then ye'll be aiblins better to judge wha's richt an' wha's wrang. Noo, ye see, gin I buy an estate upon the banks o' a river, that estate's mine—aye, into the very middle o' the river it's mine, doon to the centre o' the yirth it's mine; and half way up to the heavens it's mine! Can ony o' ye dispute *that*, by law or by gospel? Then what's to hinder me to do wi' my ain estate what I please? I can mak' a kirk or a mill o't gin I like. I may enclose't round aboot wi' dykes an' 'deevil's horns.' I may flag it below, or I may theek it abin, to keep awa' the birdies frae pickin' my seed, an' the crows frae catchin' my worms. I may do this, and wha daur hinder me?

## THE REPLY TO THE AFORESAID IN THE SAME STYLE.

Weel, Mr. Yeditor, it wad a'most break ane's heart to see the knots o' weavers and their weans on an e'enin' stan'in' afore the shop doors at Camlachie, wailin' owre their sair misfortune that has befa'en their public richt o' walkin' on the banks o' Clyde, and snuffin' the caller air, that did sae muckle to strengthen the weak threads o' their constitutions; but, on the ither han', respected sir, it would do ane guid to see the even-doun dour determination that ilka ane has ta'en up to get back their public richts, by hook or by crook, sae that ye wad think the fire o' Wallace lows in ilka bosom. But, sir, it's an auld proverb, an' a true ane, 'when a'e door steeks anither door opens;' an' noo wha ever saw the like o' sic a patriotic scheme as this Panorama in the Sautmarket o' Glasgow? Upon my honest word, when the news o't first reach'd our place, there wasna a soul that didna maist leap out o' its body; even spavi't auld wives themsel's were loupin' bawk-heich, and vowin' they wad tak' the very bits o' bawbees that coft the wee drap tea, and lay them out to see the *Panarama*. And the *sceenerie* itsel' is sae nat'r'al—the stormin' o' Sebastian (red coats an' a') sae like the stormin' o' Tam's Fort o' West-thorn; an' the sortie frae Bagnone [Bayonne] jist like the sortie frae the places round us;—I declare it's jist as oor wife says, 'the picture o' the thing itsel'; an' mair manfu' an' sodger-like conduct wasna at the tane onie mair than at the ither.' Trustin', dear Mr. Yeditor, that you'll excuse me as a plain man—for I write as I speak and speak as I think—I remain your leal frien' till death,

A PARKHEAD WEAVER."

These effusions of the olden times, which we have here selected, are not so bad of their kind. And we go on to observe that the handsome—say, rather, the enormous sum, relatively speaking, collected from the panorama, amounted to £55 9s. 10 $\frac{1}{2}$ d.; which made the showman actually to bite his fingers at seeing such crowds, while it filled Mr. Harvey with mortification and chagrin when he heard about it.

Heigh ho! for Thomas. This first collection became the “nest egg,” if we may so speak, for the famous Process of Declarator. The Glasgow Literary Forum, or Debating Society, was then in its pristine glory. It had two nights of vehement discussion about “*Tam and his Dyke, and Broken Bottles*”—admission, sixpence for strangers. This produced £28 18s. Concerts, songs, and glees, under the auspices of Sandy Rodger, the poet, Mr. Lithgow, and others, were held. These produced, clear of expense, £51. Mr. Henry Knox, the accomplished drawer of the city, exhibited his choice collection of paintings, “to aid in knocking down the dyke,” which produced £31. Drums, fifes, and tambourines were rattling in and around the city, “for funds to fight TAM,” and boxes were placed at the Cross of Glasgow, and other places, for dropping in sixpences or shillings, or copper money, or anything you pleased, to beat Tam. These produced the sum of £105 17s. 4d.; but besides these sums, so singularly realised, upwards of £280 was collected “by private subscriptions,” to beat *Tam* in the contemplated law plea. In all, the sum of £500—not a bad sum, certainly, “to oil the wheels of the plea, and make it GANG!”

And it went with *birr*, as the saying is. It became a very tough and serious plea for all parties engaged in it.

It involved serious questions about ancient title deeds. It went reeling back to the oldest memory of man. It has often been remarked, that what is everybody's business is nobody's business ; and we may be pardoned for making the observation, that often, too often, perhaps, in the history of this country, and even at our own doors, many precious rights have been sacrificed, many wise and benevolent objects have been overlooked, or lost sight of altogether, for the want of due energy and attention at the proper time.

We record with proud satisfaction the names of the TEN following individuals who risked their comfort, their happiness, their fortune, and their all, to assert the rights of the citizens of Glasgow against that most barefaced aggression, insolence, and tyranny, viz.:—George Rodgers, Barrowfield Works; Alexander M'Donald, feuar, Bridgeton; James Paton, feuar, Camlachie; James Reid, feuar, Parkhead; John Kinniburgh, feuar, Tollcross; Alexander Brechin, feuar, Carmyle; Adam Ferrie, merchant in Glasgow; John Whitehead, merchant there; John Watson, junr., manufacturer there; and James Duncan, bookseller there.

The Counsel engaged for the pursuers were Francis Jeffrey, Mr. J. S. More (afterwards Professor of Law in Edinburgh, who was married in early life to Miss Gillespie of Glasgow), and Mr. W. Penney, whose father (of the same name) was an eminent merchant in Glasgow, and guided, with the celebrated David Dale, much of the affairs of the Royal Bank of Glasgow, when it was at the south-east corner of St. Andrew's Square, in the days of Mr. John More. It is pleasant here to notice that Mr. Wm. Penney, the *young* advocate, as he was then called—a true native of this city, born and bred within its walls—is now

one of the Lords of Session, under the title of Lord Kinloch, while he is also at this moment President of the University Court of Glasgow. The respect we entertain for him is not surpassed by that which we unfeignedly entertain for his active brother still amongst us in this city, viz., Mr. S. M. Penney, universally esteemed for his straightforward conduct in every transaction, and his unflagging interest and warm benevolence towards some of the best Institutions of our city. "The ring of both brothers," as an esteemed Doctor of Divinity lately observed in one of his eloquent discourses "is of the true genuine metal."

On the other hand, the defender, Mr. Harvey, had for his Counsel Mr. James Moncrieff (afterwards Sir James Lord Moncrieff, father of the present Lord Advocate, already spoken of in these pages), with Henry Cockburn (afterwards Lord Cockburn), and Andrew Skene (afterwards Solicitor-General of Scotland)—an array of talent scarcely matched by others at the bar.

This Summons of Declarator was served on Mr. Harvey in his whisky *divan*, Dunlop Street, on the 11th of Nov., 1823. He contested it, on many legal grounds, on every point indeed of technical formality, for upwards of two years; stigmatizing the pursuers as mere "lovers of mischief," who had no right or title to pursue, or to call in question his undoubted right to the estate of Westthorn, &c., &c. At last the Lord Ordinary (viz., Lord Cringletie) who frequently heard the pleadings of the learned Counsel on both sides, and perused their long and elaborate written pleadings, pronounced an Interlocutor sustaining the title of the pursuers to vindicate the action; and remitting it to the Jury Court to decide the question on its *merits*. The Jury Court, presided over by

the Lord Chief-Commissioner Adams, which then formed a separate appanage of the Court of Session, afterwards adjusted the issue to be tried in this way, viz.,—

“Whether for fifty years and upwards prior to the months of March, April, or May 1822, there existed a public foot-path, or foot road, along the right bank of the river Clyde from the city of Glasgow, from the place called the Green, to the village of Carmyle, situated on the said bank of the said river?”

The pursuers wanted the case to be tried before the Lord Chief-Commissioner in Glasgow, where most of the witnesses resided, and were best known ; but Mr. Harvey resisted this, declaring by affidavits that the prejudice was so strong against him in Glasgow that he could not be safe there, but only by a Jury in Edinburgh. And an Edinburgh Jury he got. Vast numbers of witnesses went from Glasgow on both sides to attend that trial in Edinburgh, fixed for the 13th January, 1826. We shall only select the names of a few of the witnesses actually examined, viz., Colin Dunlop of Clyde, John Buchanan of Ardoch, M.P. for the county of Dumbarton, and formerly proprietor of the estate of Dalmarnock ; Thomas Hopkirk, younger, of Dalbeth ; James M’Nair of Belvidere (adjoining West-thorn), Mr. Kyle, land surveyor in Glasgow ; Geo. Dick, mason there ; John Russell, formerly servant to Mr. Sword of West-thorn ; A. Panton, M.D., Glasgow ; Thomas Graham, junr., W.S., residing at Dalmarnock ; James Williamson, bleacher at Carmyle ; Robert Donald, feuar there ; Lawrence Drew, miller there ; Peter Miller, writer in Glasgow ; John Ure, merchant there, &c., &c. There were upwards of 140 witnesses on both sides, but not more than the half of them were examined.

The evidence was perfectly clear and conclusive for the

pursuers, and only of a negative kind for the defender. The Jury engaged on the case (from 10 o'clock of Friday morning till half-past 10 o'clock of that night), unanimously returned a verdict in favour of the *pursuers*, and, consequently, against Mr. Thomas Harvey, who was sitting in Court during the whole period.

That verdict, which established or confirmed the rights of the citizens to the banks of the Clyde, gave great satisfaction in Edinburgh. It was hailed with enthusiasm and loud huzzahs when the news arrived in Glasgow, on the afternoon of the day following, viz., Saturday, the 14th of January, 1826. Mr. James Duncan's shop in the Saltmarket—the head-quarters of the victorious committee against Harvey—was crammed almost to suffocation “to learn the news.” Had there been penny newspapers in Glasgow in those days what a tremendous run they would have had! But the two favourite street criers of the city, who were indeed characters of their day, namely, *Hawkie*, on his stilts, and *Jemmy Blue*, in his Kilmarnock cowl, were in their prime and glory for the occasion. Who of forty or fifty years standing in the city does not remember the inimitable Hawkie, and laugh at the classic lore of Jemmy Blue? But the *bawbee* pamphlets, richer sometimes than the modern penny ones for their full, true, and particular account of any great affair, had a most extraordinary sale at that period. They were manufactured as rapidly as physical power could make them, in Jock Muir's celebrated establishment in Princes Street, with ink something resembling Warren's jet blacking, and on paper fit for holding at least a pound of brown sugar. Men, women, and children were bawling out through every street in Glasgow, and along to the “village of Anderston,” as it was then called,

and eastward to the villages of Camlachie and Tollcross, in accents more agreeable to themselves, and louder by far than “here goes the braw caller herring” which still salute our ears in the summer months, but transmogrified for the occasion aforesaid. “Here you have a full, true, and particular account of the great and glorious victory over Tam Harvey and his big dyke, just arrived from Embro’, and neatly printed, at the small charge of one half-penny.”

It was, in truth, a memorable Saturday evening in Glasgow. Bonfires were kindled up at the old *wooden* bridge then leading from the jail to the opposite side of the river; and particularly at *Allan's pen*, in the Green of Glasgow, leading to the corner of Rutherglen bridge, which was declared to be the first starting point from Glasgow to Harvey's dyke. Not far from that point is the place where Prince Charles Edward, the Pretender, reviewed his troops when passing through Glasgow at the time of the rebellion in the memorable year 1745 ;—and at the dyke itself some blazing whins were collected, and sky rockets were sent up sufficient to attest the issue of the plea.

But the plea was not yet over, nor for years afterwards. The stiff-necked defender moved the court for a new trial, and pleadings and discussions went on to a great extent on that theme. The court confirmed the previous verdict of the jury, and refused to grant any new trial. Yet, not daunted with this, he lodged what is called a Bill of Exceptions, and under the shadow of its wings he entered an appeal to the Lords! Great was the indignation of the citizens at this proceeding. They conceived it was but an attempt on the part of this haughty, purse-proud man to run them down with sheer expenses, which

they could not meet; while others of them prognosticated that he was fast running down himself, or knocking his head deliberately against his own wall. The Appeal for Mr. Harvey to the House of Lords was prepared with all the talent of the Edinburgh bar. It was subscribed for him by James Moncrieff, Henry Cockburn, and Andrew Skene, and countersigned for him by Henry Brougham to lead for him in the House of Lords. It stood for hearing in the House of Lords, 29th April, 1828. It is the fact that Sir James Moncrieff, Dean of the Faculty of Advocates, went specially to London to plead the case, with a retaining fee in his pocket, from Mr. Harvey, of Five Hundred Guineas; and Mr. Brougham had his retaining fee of Two Hundred Guineas—not bad for a *Dyke* case from Glasgow! On the other hand, the Glasgow committee, now respondents in the cause, had for their counsel Mr. Adams, an eminent English barrister, with Mr. James Kaye of Snaigow, from the Edinburgh bar, a most able and promising man, fit to cope with the Dean of Faculty, but he was cut off by fever in the meridian of his judicial career.

The pleadings and discussions in the House of Lords lasted for several days. Mr. Adam Ferrie had gone to London on the part of the committee, but he returned rather “down in the mouth,” as the saying was, because he imagined that the Lord Chancellor Lyndhurst paid the greatest attention to Sir James Moncrieff, and gave him some kind words of encouragement in support of his views for Mr. Harvey ; and, in truth, Mr. Harvey’s agents wrote down to Glasgow that “the Chancellor was obviously with them.” This gladdened the heart of Mr. Harvey mightily. He strutted in afresh, booted and spurred, to the old Tontine coffee-room, exhibited his

London letters, and was crowing over Mr. Adam Ferrie, who had returned, he said, from "Lunnon, with his tail atween his legs." Mr. Ferrie, it must be confessed, did not like the complexion of the case as he saw it in London when he left it, and cold water was actually beginning to run down the backs of some of our enthusiastic scribes in the *Chronicle*. Heavy bets were pending in Glasgow on the result. At last the final stroke came. The House of Lords, in the month of July, 1828, after a luminous speech of Lord Lyndhurst, unanimously AFFIRMED the Verdict of the Jury and the Judgment of the Court of Session, and found Mr. Harvey liable in £100 as costs of the appeal; but these costs amounted to a great deal more.

One would think that this was really the final stroke, as we have just stated it to be, but it was not so. When the Court of Session came to apply the Judgment of the House of Lords in the month of January of the following year, Mr. Harvey, by his counsel, strenuously resisted it; and motions and counter motions were made, which we cannot take time to explain. Finally, the Lords of Council and Session pronounced the following Judgment :—

“ Edinburgh, 17th January, 1829.

The Lords having considered this Note with the other proceedings, and heard Counsel thereon, Find that by the verdict of the Jury it is established that for forty years and upwards, prior to the month of March, April, and May, 1822, there existed a public foot-path or public road along the right bank of the river Clyde, from the city of Glasgow, from the place called the Green, to the village of Carmyle: Therefore find and declare that the pursuers and their families are entitled to the use and privilege of the said foot-path or foot-road free from any encroachment or interruption : Find the defender had no right to close or obstruct the passage of the said foot-path or road in the manner complained of: Ordain him within eight days

from this date hereof to remove the obstructions and impediments mentioned in the summons, and prohibit and discharge him in time coming from shutting up or obstructing passage on the said foot road, or doing any other act inconsistent with or injurious to the use thereof, or from hindering, molesting, or interrupting the pursuers or their families in the exercise of the said right and privilege, and decern. Remit to Mr. Wm. Kyle, land surveyor in Glasgow, to lay off the said foot-path or road. Find the pursuers entitled to their expenses, &c.

(Signed) D. BOYLE, J.P.D."

The dogged defender, notwithstanding all this, refused to take down his insolent wall. But it was taken down in spite of him. He was charged on Letters of Horning for the huge amount of expenses found due to the pursuers, and decerned to be paid by him; and this rendered him *notour bankrupt*. He went immediately afterwards, as the saying was, all to the—Devil! His furniture was rouped off at West-thorn. His estates, which cost him upwards of £35,000, passed by decree of his creditors into other hands. His whisky shops were displenished. There is not one of them to the fore in this city, nor is there one kindly word to record his name, which met with universal execration and dislike. We are only stamping it with ignoble fame. Yet, holding it as a BEACON to all and sundry on the banks of the Clyde, where we hope no future Thomas Harvey will arise to mar its course or interrupt its legitimate progress; or, if such shall ever arise, the memorials of this case, as here given, may teach its lessons, and inspire others

*"With hearts resolved, and hands prepared,  
The blessings they enjoy to guard."*

CHAPTER XXXVII.

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## THE POOR PRISONERS OF WEST-THORN.

MR. THOMAS HARVEY stands thus already demolished. We have now to say a very few words on behalf of the poor victims captured, at his instigation, by the dragoons, and taken prisoners for resisting his wall, to the Tolbooth of Glasgow, as previously mentioned. From amongst the thirty or forty then captured, the following *four* of the prisoners were selected for trial before the Circuit Court of Justiciary, in Glasgow, at the autumn circuit of 1823, viz.:—Alexander M'Phie, weaver, Parkhead; John Baird, collier there; Andw. Adamson, weaver there; and Walter Winning, also weaver there. If these men, or any of their descendants, are alive, they cannot feel uneasy, but rather proud, of this notice of them:—

“ You,” said the indictment against them, a copy of which is on our table, “ you are indicted and accused, at the instance of Sir William Rae of St. Catherine’s, bart., His Majesty’s Advocate for His Majesty’s interest, that albeit by the law of this, and every other well governed realm, mobbing and rioting, particularly the violently, tumultuously, and riotously assembling in large bodies with loaded arms, and pulling down or destroying any palisades or buttresses, by means of iron crows, jumpers, fire, and gunpowder, are crimes of an heinous nature, and severely punishable. Yet true it is and of verity, that you, the said Alexander M’Phie, John Baird, Andrew Adamson,

and Walter Winning, are guilty of the aforesaid crimes,"—and so forth, referring specially to the demolition of Mr. Harvey's wall.

The Glasgow committee already referred to did not neglect these poor prisoners in their tribulation. They brought out to Glasgow Messrs. John Jardine and Alex. Earle Monteith, specially to defend them at that circuit. It happened that the Advocate-Depute on that occasion, as on many other circuits in Glasgow, was Mr. Archibald Alison, who then, we dare say, little imagined that he would become Sir Archibald Alison, bart., and Sheriff of this great county of Lanark.

After an objection made to the relevancy of the indictment, detailing the whole circumstances, the Lord Justice Clerk ruled that the question was not whether Thomas Harvey had erected his dyke legally or not, but whether the prisoners were justified in demolishing it by force and violence. That ruling has since been disputed by another Lord Justice-Clerk ; but, whether rightly or wrongly, the prisoners were advised by their counsel to plead guilty to the minor charge in the indictment, and to throw themselves on the clemency of the court. An eloquent address on that theme was made for them by Mr. Jardine, who was the son of old Professor Jardine of the college.

The jury, of course, on this new phase of the case, found them guilty, in terms of their own confession.

When it came to the turn of the Advocate-Depute to move for judgment, he astonished the court and delighted the audience by saying, "that it seldom fell to the lot of any in his position, as public prosecutor, to plead on the side of mercy, but he did so with some pleasure on that occasion."

The Lord Justice-Clerk sentenced the panels to be imprisoned for six months—remarking that they should feel

highly grateful to the public prosecutor, as, but for his merciful interposition in the discharge of his duty, the court would have sentenced them to *transportation* beyond the seas!

If such was the sentence on these men, what should have been the *doom* of Thomas Harvey himself—the original aggressor? He was, no doubt, punished for it in another way. But the present venerable Sheriff, Sir Archibald Alison, the historian of Europe, in his judicial chair in Glasgow, cannot, we should think, but look back with a smile almost of gratulation on the merciful views which he, as His Majesty's advocate, took of the four prisoners of West-thorn, whose names may yet be rung on the banks of the Clyde with those of the other men who pioneered the way for the victory before the jury, and finally in the House of Lords, and Supreme Court of Scotland, where we leave it with the most perfect fidelity.

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NOTA BENE.—Our old departed friend Senex (Mr. Robert Reid), mentions in his vol. ii., p. 46, edited by Mr. Pagan, that a sum of £384, after the conclusion of Harvey's process, was lodged in bank for accumulation, so as to be applicable in future times as a fund to oppose all encroachment upon the rights of the public of Glasgow, if cases similar to Harvey's should occur. If so, the sum, with the accumulation, would now swell to a pretty considerable figure. We rather think, however, that Senex has been in a mistake about it; at least, we have not been able to discover any tangible evidence to bear it out. We wish others may be more successful.

## CHAPTER XXXVIII.

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**THE RESURRECTIONISTS OF GLASGOW IN THE OLDEN TIME—THE YOUNG MEDICAL STUDENTS—THE UPROAR IN THE CITY, &c.**

MEDICAL science, like everything else in this world, is undergoing wonderful changes. The prescriptions—the modes of treatment in surgery (which predominated in the course of last century) are changed or completely reversed now in very many cases; but the human body remains in *statu quo*—in the state in which it came from its Maker :—

“ Those bodies that corrupted fell  
Shall incorrupted rise,  
And mortal forms shall spring to life  
Immortal in the skies.

“ Cheer'd by this hope, with patient mind,  
We'll wait Heav'n's high degree,  
Till the appointed period come,  
When death shall set us free.”

Anatomy, whether in its rude or most delicate forms, was practised in its zenith in this city of Glasgow some fifty or sixty years ago, but few now alive have any idea of how it was done ; and even for a considerable period,

while it was actively going on not far from the College of Glasgow itself, the citizens at large were kept profoundly ignorant of it ; and well was it for the peace and happiness of many of them that they were really in that state.

The ancient writers on anatomy, viz., Hippocrates, Aristotle, Galen, and others, regarded this as the most important part of the medical science, without the knowledge of which the nature of human ailments or infirmities, or the incidents connected therewith, could in no other way be discovered or actually ascertained ; and yet the dissection of the human body was regarded almost as a piece of *sacrilege* down to the time when the immortal Dr. Harvey disclosed his astonishing discovery of the circulation of the blood, in the year 1628.

A class of young, enthusiastic Glasgow students banded themselves together in the year 1813, and at the head of them was Mr. Granville Sharp Pattison, a bold, clever Glasgow youth, who, for his boldness (and at the same time his own preservation in life), was afterwards obliged to fly from the city and go to the United States of America, where he became one of the most eminent surgeons and physicians, and enjoyed a most lucrative practice down to the day of his death, not many years ago. He was enthusiastically devoted to the science of anatomy; so fond of it—*fond*, strange to say, of cutting up the human body with his own knife, and dissecting it with his own hands, and thereby illustrating the cures and remedies he propounded for the safety of the living bodies, his patients—that he actually inspired some twenty or thirty other students with the same propensities, amongst a band of whom a sacred bond of brotherhood was entered into, that they would not divulge any of their anatomy secrets out of their own closets, nor betray

each other under any circumstances whatever. They secretly hired a suite of rooms for the purpose of their anatomy proceedings in the neighbourhood of College Street ; and each of them had a private key to that anatomy den—as we may call it—which they could open at any period of the day or night they pleased. The story is perhaps already revolting enough to our readers, but we shall make it more interesting as we proceed.

These young fellows had all a noble end in view, not so much for the dead as for the sake of the living. Therefore, when they heard that any important individual in the city, whether male or female, was afflicted with some complaint, or some disease or other, which fairly baffled the skill or defied the knowledge of the medical gentlemen in attendance, our students would put themselves on the *qui vive*, and gather up all the particulars, mode of treatment, &c. There were, we may remark, not more than fifty physicians and surgeons at that time in Glasgow, with anything like active practice, and not one of them kept his carriage, whereas there are now, at the period we write, some two or three hundred physicians and surgeons, and many of them rolling in their carriages ; so that, from the small or very limited number at the period referred to, any case of consequence was sure to be noted down, and commented upon in all its phases. When the party died and was buried, these medical students would meet in their quiet haunts in College Street, and draw lots for lifting the body from the grave, and bringing it to the dissecting table, to discover, if possible, the exact nature of the fatal ailment or disease. This may seem shocking enough to our readers, but the end in view, as some thought, justified the means ; and it is right the community should know how strange things

come to pass for their own personal comfort and preservation through life. Not fewer than three, nor more than six students—to disarm suspicion—went forth under cloud of night, or at grey dawn of the morning, to dig up the grave and carry the body to the place for the purpose above referred to. These students drew lots amongst themsclves for this duty—if duty it can be called—in every special case, and hence they dubbed themselves as *resurrectionists*, a name which afterwards became notoriously known, and sounded through all broad Scotland.

At last they became so thoroughly practised at this shocking work, in innumerable instances, that they went about it in the most callous but daring manner. There was no gas light at that time in any part of the city—only a few oil (or cruzie) ones, as they were called; and not more than fifty or sixty police officers in the noble city, carrying at night their oil *bowets* (or lamps) dangling at their sides, with their wooden *clappers* to raise any alarm in the shape of fire or otherwise; while a few of these watchmen had small shifting wooden boxes stationéd at some corner or other part of the principal streets, such as Trongate, the Gallowgate, and Argyle Street, in which *Donald*, or *Duncan*, or *Charlie*, could repose, and take their *nap*, in a cold, wet, or frosty morning. We have in our possession—and a curious book it is—the muster-roll of the ancient city guard of Glasgow at the end of last century—long before any police bill was in existence. It contains, also, on its fist page, the following queer original written notice, by the Lord Provost and Magistrates, to the citizens, with directions for their government. We are not aware that this book fell under the eye of “*Senex*” or Dr. Clelland or Dr. Strang, or was

ever noticed before by any of the other old historians of Glasgow ; and therefore our readers will probably excuse us if we give a few original quotations from it, as follows :—

“ NOTICE TO THE CITIZENS OF GLASGOW.

The Lord Provost and Magistrates of Glasgow, in order the more effectually to preserve the person and property of the citizens, find it necessary to establish a night guard and patrol, composed of the citizens, in order to watch and guard the streets. And for that purpose do hereby order and require all the male householders, citizens, and inhabitants of Glasgow—under the age of sixty, and above eighteen—in rotation, to the number of thirty-six persons each night, as they shall be warned the day before mounting guard, to repair to the Laigh Kirk Session-House, at 10 o'clock at night, and to continue guard and patrol till next morning, subject to such orders as shall be given by the Magistrates.

Such as do not attend will be fined in five shillings sterling for such neglect ; and no substitute to be accepted of, nor any excuse, except a certificate of bad health from a physician or surgeon.

REGULATIONS FOR THE CITY GUARD.

20th October, 1791.

All the householders, masters of ships or warehouses, citizens and inhabitants of Glasgow and Ram's Horn grounds, whose yearly rents are forty shillings or above—and not exceeding the age of sixty or under eighteen [excepting ministers, the University, schoolmasters, and the members of the Faculty of Physicians and Surgeons, and of the Faculty of Writers, which last two bodies claim an exception, which is now the subject of a question before the Court of Session]—shall be obliged, in rotation, to the number of thirty-six each night, according as they shall be warned on the day beforehand, to repair to the Laigh Kirk Session-House, at 10 o'clock at night, and continue to guard or patrol the streets till next morning, subject to the following regulations, and such others as the Magistrates shall think fit :—

First—Each person duly warned as above who fails to attend, shall forfeit the sum of five shillings, to be paid to the sitting Magistrate next day ; and no excuse—except absence from town at the time of being summoned, or sickness, certified under the hand of a physician or surgeon—to be accepted of.

Second—The Guard shall be under the command and direction of the sitting Magistrates, and of a captain or other officer to be appointed by them.

Third—They shall be divided by the Captain into four divisions, which shall patrol the streets of the city agreeable to the details hereto subjoined.

Fourth—The Guard are expressly prohibited not to spend in liquor above fourpence each man, during the time they are on guard, under the penalty of two shillings and sixpence for each transgression ; and the Captain to be answerable for his guard in this respect.

Fifth—No person on guard shall go into any house to drink, under the penalty of five shillings for each transgression.

Sixth—A Town-Officer shall attend the guard-room every night, and be subject to the orders of the Captain, and by whom he shall send to the officer of the Military Guard the WORD for the night, in a sealed letter.

Seventh—The Captain shall sign a report of the names of those persons who had been summoned and did not attend, and of such as may have broken any of the regulations ; also the names of such persons who were apprehended during the night, and committed either to the prison or the Military Guard-House [in Candleriggs Street], with the reasons for their apprehension and confinement ; together with an account of any occurrences during the night,—which report shall be given to the Town-Officer on guard, to be by him delivered to the sitting Magistrate next morning at 10 o'clock.

In order to obtain an accurate list of all the inhabitants liable to this service, it is earnestly recommended to the Captain of the Guard each night, that he causes to be inserted the designations of all the persons on duty, and insert in his report the names and designations of such persons as may have been omitted in that district of the city from which the guard under his care has been summoned. And also to certify, from the knowledge of the persons present, that any in the list are above the age prescribed, so that their names may not be inserted in future, and their fines remitted.

#### DISTRICTS OF THE PATROL.

The city is proposed to be divided into four districts, through which the Guard is to patrol in the following manner :—

First—From the Guard-House at the Laigh Kirk to the Cross, up the High Street—look into the Old Vennel, New Vennel, and Havannah Street, that all there is quiet—down the Drygate, from thence to the Old Castle, then up the Rottenrow and back, down the High Street, go into Bunn's Wynd, back to the High Street, and through Bell's Wynd to the Guard-House.

Second—Up the Candleriggs, amongst Ingram Street, up John Street, down Hutcheson Street, up Miller Street and through the Square, down Queen Street, amongst the Trongate and look up Buchanan Street, down Jamaica Street to the New Bridge, amongst Clyde, up the Stockwell, and to the Guard-House.

Third—Down the Saltmarket, amongst the Bridgegate, up King Street, down the Back Wynd, up the Old Wynd, down the New Wynd, through the Goosedubs to the Old Bridge, up the Stockwell, and to the Guard House.

Fourth—Down the Gallowgate—looking into the Spoutmouth and Dovehill—to the Old Toll, then back and down Charlotte Street, from thence through St. Andrew's Square and Gibson's Wynd to the Guard-House.

The Captain of the Guard is desired to divide his men into four divisions, and to send two of them to patrol two of the above-mentioned districts; and when these return, to send the other two divisions through the other two districts, and thus alternately; whereby he will always have the one half remaining with him in the Guard-Room, unless when anything extraordinary may call a part of them out. And that he should appoint an officer over every division, and should regularly mark the time when each division went out, and the time when they returned; the district they went through, and any occurrences necessary for the information of the Magistrates next day.

The officers of the patrol are desired to take notice and report the state of the lamps in the different districts."

It may be amusing here to note down some of the memorable names of the remarkable citizens of the olden time who patrolled the ancient streets of Glasgow, as night watchmen, under the above queer old regulations. For instance, we have—

- "Moses Steven of Polmadie.  
 Richd. Newlands, jeweller.  
 Walter Ewing, merchant.  
 John Donald, silversmith.  
 Walter Brock, manufacturer.  
 John Ronald, change-keeper.  
 M. M'Lean, calenderman.  
 James Burns, weaver.  
 P. Buchanan, cotton-spinner.  
 Benjamin Gow, tailor.  
 Robert Hood, cooper.  
 Thomas Whitelaw, merchant.  
 George Oswald, merchant.  
 Robert Carrick, banker.  
 George Douglas, plumber.  
 J. Gardner, instrument-maker.  
 Steven Colville, barber.  
 Samuel Peacock, shoemaker.  
 Robert Rodger, merchant.  
 James Menzies, painter.  
 Walter Ure, calenderman.  
 John Alexander, tobacconist.  
 Edward, M'Whannel, wright.  
 Robert Mungal, grocer.  
 Matthew Dunnet, clothlapper.  
 Lawrence Brown, glover.  
 Thos. Gall, candlemaker.  
 David Hall, hatmaker.  
 A. Newbigging, manufacturer.  
 Moses Gardner, apothecary.  
 Wm. Graham, manufacturer.  
 Jas. Donaldson, cotton-spinner.  
 Richard Dick, manufacturer.  
 Cornelius Brown, do.  
 William Monteith, do.  
 Robert Dalglisch, do.  
 John Herbertson, wright.  
 Allan Carswell, do.  
 Robert Tennent, brewer.  
 Wm. Dunn, cotton-spinner.
- John Phillips of Stobcross.  
 James Dunlop, merchant.  
 Allan Peacock, grocer.  
 Wm. Hosier, merchant.  
 Robert Finlay, do.  
 John Young, warehouseman.  
 James M'Call, merchant.  
 Robert Wilson, gardener.  
 Moses Murray, wright.  
 John Lilburn, upholsterer.  
 Joseph M'Culloch, carter.  
 Wm. Lawrie, canal agent.  
 Archd. M'Lellan, senr., coach-  
     maker.  
 John Stirling, merchant.  
 Michael Bogle, do.  
 Wm. Walker, seedsman.  
 Peter Murdoch, merchant.  
 Jas. Mackenzie, do.  
 Peter Mirlees, saddler.  
 John Gordon, merchant.  
 John Pearston, clerk.  
 W. S. Moncrieff, manufacturer.  
 Robt. Muirhead, merchant.  
 Peter Blackie, wright.  
 Alex. Menzies, heckler.  
 J. M'Ilquham, manufacturer.  
 John M'Lehose, cooper.  
 Jas. Turner, tobacco-spinner.  
 Colin Arroll, merchant.  
 James Ewing, do.  
 Thos. Crawfurd, manufacturer.  
 John Wright, do.  
 Geo. Household, sugar-broker.  
 Wm. Wylie, messenger.  
 John Wright, auctioneer.  
 Robert Baillie, merchant.  
 Ninian Glen, manufacturer.  
 Walter Neilson, merchant.  
 Alexander Lindsay, baker," &c.

Such are some of the names—we could give many others—of the renowned citizens of Glasgow who took their turn in patrolling the streets of Glasgow, as night watchmen, in the olden time. Their “reports,” subscribed by the “captain” for the night, and delivered “to the sitting Magistrate next forenoon at 10 o’clock,” are unique and curious. For example, the captain of the patrol was required to send to the officer of the Military Guard in the Candleriggs, “the *word* for the night in a *sealed* letter,” and *the word* pretty often was “Orange,” “Liberty,” “Peace,” “Quietness,” or “Rest,” changed, as the case might be, every alternate night. We wonder what our present Master (or Chief-Constable) of Police would say if he were required now to send “a sealed letter” to all his lieutenants or sub-divisions of the city with a pass-word for the night! What tongues of Babel there are in Glasgow at this date compared with these of former time! for it is really amusing and pleasant to remark, that for many nights successively the ancient patrols had no cases at all to report about. This was the captain’s most frequent rejoinder to the Magistrates, carried to them by the town-officer—“All quiet, but most of the lamps out *very early* in the night.—Signed, Auchinloss, captain of the patrol.”

One or two other specimens of these unique reports we may here give, which might afford sport to our old friend “the Laird of Logan.”

Thus :—

“The patrols brought in Alex Harvey, weaver, found gambling with Alex. Gilchrist, weaver or tanner, who was found *all bloody*, and his head much cut. Sent him to the guard. Also John Robertson, weaver, and Duncan Macfarlane, weaver, for rioting. They were sent home to their lodgings.—Signed, Colin Blyth, captain.”

Another report from the same quarter on a subsequent occasion :—

“ All quiet ; but most of the lamps out very early in the night, and some of them not lighted at all.—Signed, A M‘Creddie, captain of the patrol.”

Another—

“ The first round of the patrol brought in Peter Darling, who was the worse of liquor and abusive. Sent him to his lodgings. One Donaldson’s house in the Rottenrow ought to be inquired into, as they encourage young men to game, and every other vice.—Signed, Richard Marshall, captain of the guard.”

Another—

“ All quiet, except some disturbance in Ann Peacock’s house in the Bridgegate. Most of the lamps are out very early this night, and *several posts had no lamps.*—Signed, John Alexander, captain.”

Another—

“ The first patrol took up the persons following, who were *rioting* in Matthew Anderson’s back house, Rowand’s Land, Bridgegate [names given]. Hanagan and White were sent to the guard-room ; the rest were let away on account of Anderson obliging himself to present them.—Signed, James Richardson, captain of the guard.”

Another—

“ All quiet, except three men and two women, who were riotous on the streets. Sent them to the cells.—Signed, Thomas Coats, captain of guard.”

Another—

“ All quiet except *one boy*, who calls himself John M‘Donald ; he was found in a crowd in the street, and would not go home. Sent him to the cells.—Signed John Paul, captain.”

Another—

“ All quiet, except a little disturbance in Yorkston’s tap-room.—Signed, John Ferguson.”

Another—

“ A. M‘Kay, tailor, apprehended a man who would not tell his name ; a son of one Wright, a porter ; and Jean Semple, who was found with the sentry on the Tolbooth, giving them whisky.—Signed, Wm. Watson, captain of the guard.”

We close these *original* entries, though we might give many more of them ; but we hope we have better things in store for our numerous and indulgent readers.

Going back, or rather coming forward, to our young students or *resurrectionists*, about the period we previously left off a few pages ago, we should state that a dark cloudy night, when no *moon* appeared shining down upon them from the heavens, was the best and most successful night for their unhallowed operations at the grave of any selected body.

It was only, indeed, when the heavens scowled, and the rain fell in torrents, and the blackness of the night closed in, that these daring students thought themselves most secure ; and after they succeeded in carrying off the shrouded ghastly body to their own college dens, they generally retired to one or other of the best taverns then in the city, which were situated in Prince's Street, adjoining the Saltmarket ; or they went to one of the only two fashionable tripe or eating-houses then in the city, kept by Mrs. Veitch or Clarke, in the Bridgegate, where the wealthiest *dons* of the city used frequently to resort, between the hours of eight and ten in the evening, enjoying their rum punch, or brandy toddy, or magnums of claret, all the year round ; and there the young rascals lightly mixed with company, intentionally perhaps to disarm suspicion, as if they were the gayest of the gay.

There can, we are very sorry to say, be no doubt of the fact, that many silent graves in Glasgow were wickedly and shamefully violated at the period we have just referred to. At first the students were extremely cautious. They took care, after seizing the buried body, to fill up the grave as if nothing had occurred about it since the period of interment ; but, as we have already remarked, they

became so self-confident in their doings that they began to be quite regardless of their own footsteps in these sacred places.

An old respected man, of the name of Lang, the beadle of the Ram's Horn Church and church-yard, had his suspicions first aroused by the lifting of a corpse there. He almost traced it to the dissecting rooms. We need not give the particulars ; but his artless revelation of the circumstances created at the time a most profound sensation in this city, and many mourners rushed to the graves of departed relatives to ascertain whether or not they rested undisturbed by impious hands. A remarkable discovery was made at the grave of one esteemed lady, which we must reserve to another chapter, ending in a solemn but unexampled trial before the Judges of the High Court of Justiciary in Edinburgh, which we may give without offending any human being, because the chief actors in it have long since been removed from this field of strife and strange competition.

I.—AN AWFUL DISCOVERY OF DEAD BODIES PERTINENT TO THE ABOVE,  
AT THE BOOMIELAW OF GLASGOW.

WHILST the citizens were raging against these unknown, and hitherto undiscovered *resurrectionists* in Glasgow, a remarkable circumstance or discovery took place, not in any church-yard—though these began to be pretty well scrutinised, not only in Glasgow and its neighbourhood, but over Scotland, for the first time, as the very name of resurrectionists inspired terror and dismay to all ; but the following discovery took place by a shipment of supposed *goods* from Ireland, by a vessel lately arrived at the Broomielaw. It is a marvellous story, certainly, but we

can vouch for the perfect truth of it ; and what is more, it led to one of the most shocking denouements and trials that ever took place in Scotland. We allude to the case of Burke and Hare, some new particulars of which we may give in the sequel ; but this Broomielaw discovery, on which we are now to embark for the first time, may well astonish many of our readers.

An Irish sloop or vessel arrived at the Broomielaw, with a number of well-filled bags on board, supposed to be cotton or linen rags, addressed to the care of a well-known *huxter*, doing a great trade in that line, in Jamaica Street of Glasgow. He refused to take delivery of the supposed *rags*, because they were charged some £50 or £60 sterling for freight, payable on delivery, an amount, he said, which no *rags* of any kind could well afford to give ; and therefore the carters who had brought to him the supposed *rags* were just ordered to take them back on their carts, and lay them down at the side of the vessel, in one of the nearest *sheds* of the Broomielaw. This was done. An awful stench soon arose from them, and some of the Broomielaw officers on opening a few of the bags, to see what they really contained, were horrified to find the ghastly, dead, putrified bodies of men, women, and children, huddled together in the most shocking manner.

It soon transpired that as a sufficient number of dead bodies could not be got in Glasgow for the anatomy class in the College, that a chain of communication had been opened up with some Irish students, and hence this importation to Glasgow. The Sheriff and the Magistrates of course immediately interposed, and ordered this cargo of dead bodies to be instantly interred, with all circumspection, in the church-yard of Anderston, being the

nearest church-yard adjoining the Broomielaw ; but it was discovered that these dead bodies from Ireland, intended for the anatomy classes of Glasgow, as well as *Edinburgh*, were actually brought hither at *prices* varying from ten to twenty guineas each.

The *rag* merchant in Jamaica Street had not been made aware of his consignment till a post too late, otherwise, there can be little doubt, he would have paid the freight money demanded, and pocketed a goodly commission for the traffic “entrusted to his care.”

This partly opens up the *cue* for the shocking—the horrid, and damnable experiments of Burke and Hare subsequently in Edinburgh. They calculated that if dead bodies from Ireland, reaching the Broomielaw of Glasgow, were worth from ten to twenty guineas each, they might surely get as much, if not more, for new-slaughtered or smothered bodies, in the Cowgate of Edinburgh, for the anatomy shambles in the College thereof. Hence the appalling *murders* in Edinburgh, which affected Glasgow, for one of the miscreants came hither, as we shall soon shew ; but we may here remark, that the penalty then paid on the scaffold, in the case of Burke, was scarcely adequate to meet the cool and monstrous crimes which that diabolical villain perpetrated.

#### II.—A LIGHTER CHAPTER IN ANOTHER DIRECTION.

Scarcely a lighter chapter, for it is a grave one, but a much more amusing one, if the lifting of dead bodies can, with the least propriety, be brought under this category.

Well: our Glasgow students were alarmed, but not dismayed with these discoveries at the Broomielaw ; nor were they deterred in their operations by the fact that

one of their number was shot dead when emerging from one of the back doors of the College, to lift a body from the Blackfriars' Churchyard, adjoining. Trap guns and signal warnings to "Beware," were posted over many graves by bereaved relatives. But these students in the prosecution of their labours, or their learning, were like devils incarnate! Nothing could arrest their ingenuity or daring. For example, they heard of some striking case in the Mearns, which had baffled the united skill of Dr. Cleghorn and Dr. Balmanno, and other of the best physicians and surgeons in Glasgow, and all the country round; the patient died in spite of all their efforts, as any patient may ultimately do, when the thread of life runs done: but the Glasgow students were determined to *probe* this case, and to test it by experimental results, according to the light of their own new science,—therefore they drew lots once more, and two of them were ordered to proceed to the parish of Mearns, and dig up the buried body of the deceased, and carry him to the dissecting table in Glasgow. The ingenuity of that enterprise, if we may use such a word for it, is worth relating in these wayward pages. The strictest search, we may remark, was now made for all dead bodies arriving at the Broomielaw; and almost every churchyard in Scotland had its signals up against the Resurrectionists; but the Mearns one beat them all. Not only did the students contrive to dig up the body in that rural place, but they dressed it in the most approved fashion, baffling all other means of detection. They hired a horse and gig from our old friend, Sandy Leith, the best horse couper by far in the High Street, with the Heckler M'Crone in the same street, which we have already proclaimed in these pages; and they purchased an old suit

of clothes, with a respectable hat, and crape at the end of it, from one of the “Paddie Hand-me-Down Brokers,” then taking up their quarters for the first time in the Saltmarket of Glasgow, ever famed in this city for all its qualities in that way ; with beans and corn sufficient for the gig horse to waft him safely through the Mearns Muir. The expedition thus formed,—the great doubt or difficulty came to be, how was the corpse, with due safety to themselves, to be brought into the city of Glasgow ? All the toll-keepers in the neighbourhood were specially warned to keep their eyes steadily on every vehicle, day or night, containing any supposed resurrectionists, with their bags or packages. These students, therefore, after they had the unfortunate body cannily dug up, dressed it with the paraphernalia aforesaid, namely, the old clothes and hat of the Saltmarket broker, and placed it between them in the middle seat of the gig, as if they were *three honest passengers* driving along to Glasgow. The students knew that they behoved to pull up and pay toll at the Gorbals toll-bar, where the toll-keeper had a horrid aversion to all resurrectionists, for they had then been prowling in his own neighbourhood, in the Gorbals Churchyard, which was plundered of many of its silent tenants. Could they really pass the lynx-eye of that toll-keeper at the Gorbals without detection ? They halted with amazing cunning, boldness, and dexterity ; for while the first student was preparing to pay the toll, the second student, at the same time, was pretending to hold up the head of his old *sick* friend (the dead man), and telling him to be of good cheer, as they would soon have their breakfast in the High Street. The toll-keeper, looking up, with his lantern in his hand, at the supposed sick passenger, exclaimed, “O ! puir auld bodie, he looks unco ill in the

face ; drive cannily hame lads—drive cannily.” And away they drove, cannily enough ; but they soon laid the whip to their horse, and cantered with their shocking prize to the College, or the neighbourhood thereof, and related their exploits to some of the assembled students anxiously awaiting their arrival, and who greeted them with a hearty round of applause. Shocking as all this may be to our readers of the present day, there can be little doubt of the fact, for we heard this from the late Dr. Richard Millar, Professor of *Materia Medica* in the University of Glasgow, “that these experiments, in the Anatomy School of Glasgow, lighted up the torch of science in this quarter of the world, and saved the lives of many invaluable human beings.”

“To what base uses we may return, Horatio !”

### III.—THE CAPTURE OF THE STUDENTS IN THEIR OWN ANATOMY DEN.

On the night of the 13th of December, 1813, two other dreadful events occurred in Glasgow, which we may as well relate as an interesting chapter of Glasgow history not hitherto divulged in any concise or correct form ; and the recital of which should create little or no pain now, because all the chief actors in it are long ago removed to “that bourne whence no traveller returns.” Those resolute and daring students we have alluded to, were at a stand-still, as they termed it, for want of “subjects” to anatomi-  
zize in the College. They had now learned of two extraordinary cases of death in the city, which had staggered the skill of the best physicians in it. The one body was to be interred in the Ram’s Horn Church-yard, and the other in the High Church-yard, both on the afternoon of the same day. The students assembled in their rooms, and

again secretly drew lots for the uplifting of the bodies from their graves that same night. The previous daring of these students only emboldened them to take that step; yet it detected and overthrew them at last, chiefly from the audacious manner they went about it. They made such a noise with their spades and pick-axes, in the Ram's Horn Church-yard, that the police officer, standing in his sentry-box near that place, cocked his ears, and when he observed some of them leaping over the wall fronting Ingram Street, and hauling something like a sack, and placing it with its contents on one of their shoulders, and trudging away with it in the direction of the College, he sprang his wooden rattles of alarm, and gave chase, with one or two assistants, after the students; but the latter managed to elude them near the old Grammar School Wynd. In the High Church-yard, nearly the very same occurrence took place on the same night; and here again these students were too successful in their operations. They lifted up two bodies in place of one, but in their sacks they carried them off safely to their anatomy rooms. The alarm given by the police respecting this shocking work soon spread throughout Glasgow; but, strange to say, not one of the four newspapers then published in the city at intervals of some days, at the price of sevenpence each copy, said a single word at that time about the *resurrectionists*. They probably deemed it better to preserve a discreet silence on the subject. No regular Saturday paper was then in existence, and the idea of swarms of penny ones starting up at a future period was never dreamt of in their philosophy. How marvellous the change! If a drunken blockhead now-a-days staggers on the streets—or if a drunken randy shakes her fists in another's face—or if a chimney-sweep gives

tongue—or any scamp, scullion, or little urchin commits the most trivial, contemptible offence, they are sure to be paraded in fine special paragraphs; and as for your shebeen transgressors, or others akin to them, in other places we can hardly name, they too are given, very often *ad nauseum*. Such is the order of the day. But the very circumspect silence of the old papers referred to, only whetted the anxiety of the citizens to trace out the resurrectionists. Old Mr. James Mitchell, the captain of police, was literally besieged, in the old Tontine Coffee-room at the Cross, where all the news of the city were then collected and spoken about, to tell everything he could tell on the subject, but he only shook his head, and revealed that “several graves in the Ram’s Horn and High Church-yard were unquestionably violated.” The natural consequence of this was, that almost every family in the city who had any of their dear departed ones recently buried, again rushed to the place to satisfy themselves on the subject ; and this explains why there are so many iron palisades in our church-yards now withering almost with rust. It was the resurrectionists who, by their unhallowed hands, called these iron safeguards into existence, but happily few or none of them are needed now, for, according to the beautiful and emphatic language of Scripture, “the place which once knew them shall soon know them no more for ever.”

IV.—THE REMARKABLE CASE OF MRS. M’ALISTER, WHICH SILENCED  
ALL THE OTHERS.

This lady (none of whose relatives, that we are aware of, are now alive in this city, and, therefore, we can have the less delicacy in speaking of her case ; and, indeed, none at all, because it formed the subject of a public trial,

before the High Court of Justiciary, in Glasgow) was, from all accounts, a most beautiful and handsome woman, and the fond mother of some children—all, we think, dead. She had died suddenly, and was respectfully interred in the Ram's Horn Church-yard. One of her brothers, or brother-in-law, heard Mr. Mitchell, captain of the police, tell in the Tontine Coffee-rooms, as we have already stated, how his officers had given chase to the resurrectionists from the Ram's Horn to the College, and on that he went home and told his family. They could not rest a moment till they went to the church-yard, and there they beheld, with an agony of tears, the newly made grave of their beloved relative wantonly and wickedly violated, and the body stolen away. This ran like a shock of lightning through the city, and the alarmed and enraged citizens rushed to the house of the then Professor of Anatomy in the College, and smashed every one of his windows to atoms. Luckily for himself, the professor was absent; but what is better, we are glad to say, that he had no hand in these midnight proceedings; and for several days not one of the professors ventured to go abroad, so strong was the public indignation,—whether well-directed or not is another thing. In fact, the police, for the first time, guarded the precincts of the College; and the magistrates could only allay the public discontent by issuing a warrant to search for the dead body of that lady in particular; and with that view, to open the doors, or break them open, of every suspected anatomy room in all the city. That was a comprehensive warrant certainly.

It was entrusted, in the first instance, to Mr. Alex. Perrie, a clever, able, and active officer, with a retinue of assistants chosen by him. Mr. John Bennet was then the Burgh Fiscal, and Mr. Andrew Simpson was his

deputy. Suspicion now alighted on the anatomy rooms, which were discovered, of Mr. Granville Sharp Pattison, the then young, intrepid, but most rising physician in this city; and but for this case, which compelled him to fly, there is little doubt that, if spared amongst us, he would have adorned the Faculty of Physicians and Surgeons of Glasgow.

A singular circumstance here occurred. It was arranged that two of Mrs. M'Alister's most intimate friends and acquaintances, together with Mr. Jas. Alexander, surgeon dentist, who had attended her down to the day of her death, should accompany the town officers, with their *search warrant*, as being best able to recognise or identify the dead body, if found. We may remark, that this Mr. James Alexander was the only dentist then in the city, and his residence was in King Street. How many of that profession have we now?—forty, at least, we should say!

We need no longer disguise the fact from our readers, that Mr. Pattison's lecture rooms in College Street, entering by a back door, and getting up a narrow stair were the receiving rooms of the resurrectionists, and hither, in the first instance, all the dead bodies were carefully deposited for subsequent operation; but there was an ingenious trap door leading to another apartment beneath, called the "*hole*," deemed impregnable against all intruders, save the students themselves.

When the officers of the law first entered, Mr. Pattison, with the few students then in his rooms, received them most politely, and opened up apparently every press and crevice in the place, but nothing in the least degree resembling or pertaining to a dead body was there to be found—they denied that they had any such in their possession.

On the floor there stood a small tub, which the students amongst themselves called *the macerating tub*; but as it was obviously filled with water, little or no attention was paid to it by the officers, with their search-warrant. They actually left the rooms, apologising to Mr. Pattison and his young friends for the intrusion; and of course Mr. Pattison and his friends were equally delighted at this result—and well they might, for they had received notification of the warrant some time previously, and they knew very well what had happened at the College and other quarters of the city.

Scarcely had the officers emerged from the dark stair of that horrid room or rooms, than Mr. Alexander, the dentist, took a strange notion into his head, and suggested that they should go back and examine “*the macerating tub*,” filled with water. The doors, however, were now bolted from the inside, which occasioned some suspicion, but they were soon opened. Mr. Alexander insisted that they should empty the water from the tub, which was done with great reluctance; and at the bottom of it, they discovered the half of the jaw-bone of a human being, with several teeth attached to it, with some cut fingers, and other parts of the human body. “*My God!*” exclaimed Alexander, the dentist, on examining the teeth, “these are the very teeth of Mrs. M‘Alister; these are part of the very set I made for her with mine own hands!” “And this finger,” said one of her petrified relatives, “this is her finger, the very finger on which she wore her marriage ring. I know it well”—and he fainted with the touch!

At this extraordinary scene and discovery, the town-officers became perfectly incensed with rage;—some of them were for thrapping Dr. Pattison on the spot. He

solemnly declared his entire innocence of all concern with the dead body of Mrs. M'Alister, whom he did not know, and therein some believed him. A considerable crowd had by this time been gathering in College Street, to learn the result of the search in that quarter ; and when the story about "the macerating tub" was inconsiderately communicated to them by one of the town officers, they broke out into most violent fits of revenge. "Blood for blood," they exclaimed ; and but for the pacifying assurances of Mr. Perrie, blood to a frightful degree might have been shed that day in Glasgow. Mr. Pattison and his students were, of course, secured as prisoners under the warrant, but so threatening and alarming was the crowd, that a military guard was called out to escort them in safety to the Jail. All this, we may again observe, has not been noticed, that we are aware of, by any previous historian of Glasgow; nor do we pretend to be any of its historians worthy of the name; we are only placing a few facts and circumstances together, leaving the public, we again repeat, to judge of them as they please.

V.—UPROAR IN THE CITY, AND INCARCERATION OF THE  
STUDENTS, ETC.

The uproar in the city at these dread discoveries was immense. In order to calm it, and prevent further assaults on the graves in the church-yards, the Magistrates ordered watchmen to be placed over them with loaded guns ; and during the night, for a considerable period, it was quite common to hear the guns of the watchmen, pop, popping away, with blank cartridges, in the Ram's Horn, the Anderston, and the High Churhyards, with the one over in the Gorbals, to let the resurrection-

ists know what they might expect if they dared to renew their daring work. But for the strong guard which escorted Mr. Pattison and his students to the Jail, there is little doubt that the enraged mob would have taken summary vengeance on them on the spot. It was with considerable difficulty, and amidst horrid yells, that they were safely landed in the Tolbooth.

This state of matters was, of course, speedily reported by the Magistrates to the Law Officers of the Crown in Edinburgh. Mr. Archibald Colquhoun of Garscadden and Killermont was the Lord Advocate of the day. His Solicitor-General (afterwards Lord Advocate) was the *second* Lord Meadowbank, already mentioned in these discursive pages. They ordered, from amongst those prisoners, that Mr. Granville Sharp Pattison, Andrew Russell, his lecturer on surgery, and Messrs. Robt. Munro and John M'Lean, students, should be selected to stand trial before the Lords of the High Court of Justiciary in Edinburgh, for the felonious abstraction of the body of Mrs. M'Alister.

Meanwhile the town officers, immediately after the first seizure of the prisoners, went to the premises in College Street, armed with their axes and other instruments, and dug up the flooring, and actually discovered several dead bodies, with the remaining remnants of the dead body of Mrs. M'Alister, which was again identified in some peculiar way by her afflicted and sorrowing friends, and left no doubt in their minds that this was her body in truth and reality. The component parts of it were carefully secured, and sealed up in glass cases, prepared by the Fiscal for the purpose, as evidence conclusive against the prisoners, in the important trial now impending over their heads. That trial was fixed to take

place in Edinburgh, on Monday, the 6th of June, 1814. Vast interest was manifested about it in Glasgow by all classes, from the highest to the lowest. All the coaches from Glasgow to Edinburgh were crammed with witnesses on the Friday, as well as the Saturday, preceding the trial ; and the Mail itself, on Sunday, had for a month before been secured by the authorities, which may give our juvenile readers some idea of the mode of travelling in those days between the two cities, compared with the railways now. Great crowds attended at the Black Bull and Tontine to see the witnesses safely away ; but the accused themselves did not dare to show face. They had been previously admitted to bail to a large amount, and they travelled *incog.* to Edinburgh some days before the trial. The eminent Counsel engaged for the prisoners were John Clerk and Henry Cockburn, with Messrs. Graham & Mitchell, writers in Glasgow, and Mr. George Baillie and Mr. James Russell, also writers there, as their agents. Of that group, only Mr. Baillie survives ; and we have recently noticed him as the present senior member of the Faculty of Procurators in Glasgow, admitted in the same year with Mr. Alexander Morrison, the late Dean, *viz.*, the year 1811.

At 10 o'clock on Monday morning, the Lords of Justiciary took their seats in the old renowned Justiciary Hall, where the ancient *fifteen* had formerly sat. They were as follows, *viz.*, the Lord Chief-Justice Clerk Boyle, with Lords Hermand, Meadowbank, Gillies, and Pitmilly.

To the astonishment of almost every person in that crowded Court, John Clerk, the prisoners' senior counsel, rose and moved their Lordships to hear the case with closed doors. He said he had strong reasons for doing so, and certainly some delicate reasons afterwards pre-

sented themselves to the Court ; but in the meanwhile their Lordships, by a majority, ordered the trial to proceed openly ; while at the same time they issued a peremptory injunction against the press from publishing any of the evidence at all till after the trial was concluded ; and then only a faint outline of it was given, utterly at variance with the proceedings of the present day.

The case for the prosecution went steadily on, and was apparently quite clear, cogent, and overwhelming against the prisoners. They were encompassed with blackening facts, that sundry graves had been violated, and that Mrs. M'Alister's grave in particular—which formed the gist of the indictment—"had been ruthlessly or feloniously violated by the prisoners, and her body taken to their dissecting rooms, where it was found and identified." And how could they by any possibility defend such nefarious and diabolical proceedings ? Thus standing the case, a conviction against the prisoners was deemed sure and certain by many in that crowded court.

But the prisoners' Counsel had learned their lessons, or their private briefs, to some advantage, in opposition to all this. In their cross-examination of the witnesses for the Crown (and never denying that the graves were violated, but disputing the identity of the dead body of Mrs. M'Alister, which was the gravamen of the charge in the indictment), they contented themselves with putting the simple and apparently artless question to the witnesses, "Whether Mrs. M'Alister had been a married woman, and had borne several children ?" They all answered—and answered most truly, in the affirmative.

Now, when the prisoners entered on their defence, by their eloquent and ingenious Counsel, they made the

astounding statement, that “the body produced was Not the body of Mrs. M‘Alister at all; and, therefore, that the indictment must fall to the ground.” In proof of this, they brought forward a number of the most eminent medical men in Edinburgh and Glasgow, who solemnly swore, after the most careful analysis, which their medical profession enabled them to do, they were perfectly satisfied that the body produced, and specially referred to in the indictment, was not the body of a married woman who had borne children, as all the witnesses for the Crown about the identity had stated ; but that the body produced was that of a virgin—a young woman who never had any children at all. “True,” they said, “the *teeth* were identified, and the *fingers* were identified ; but the Court and Jury must attend to the fact, that the prisoners under the indictment were not accused of abstracting either the fingers or the teeth, but the actual *body* of Mrs. M‘Alister; and could they believe that this body on the table of the Court, sworn to and demonstrated by *clinical* evidence as that of a virgin, was really that of a married woman?”

This singular and astounding evidence fairly puzzled the Court and upset the Jury. The consequence was, that the prisoners were acquitted. It is Shakespeare who says

“O! that my tongue were in the thunder’s mouth,  
Then with a passion I would shake the world,  
And rouse from sleep that fell *anatomy*  
Which cannot hear a feeble lady’s voice !”

The solution, or explanation of the matter, may now be told in a very few words. The prisoners, either by accident, or a very clever piece of stratagem, had placed the remains of *two* female bodies together, and the town

officers, in their hurry and excitement when making the seizure, had selected and lifted up the dead body of the nameless virgin, thinking it best answered the description, and labelled it as the true body of Mrs. M'Alister, which it was not. Thus the prisoners escaped. How marvellous sometimes trials go off when least expected! And we have noticed this case with no undue levity, we hope, in order to bring a much more striking one in its results under the notice of our readers,—the first and the last of its kind for *anatomical* purposes that ever occurred in the city of Glasgow.

## CHAPTER XXXIX.

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### THE CASE OF MATTHEW CLYDESDALE THE MURDERER—EXTRAORDINARY SCENE IN THE COLLEGE OF GLASGOW.

ALTHOUGH the foregoing trial which we have been narrating had the good effect of scaring the students of Glasgow from their unhallowed practice of disturbing the dead in their graves, and cutting them up in their dissecting apartments, yet singularly enough the *law* itself, yea, the supreme criminal Judges of Scotland, actually consigned them bodies for dissection, in any way they pleased. This may seem startling to our readers. The present chapter will reveal the truth and stagger many. It nearly deprived us of our own reason, long ago, within the walls of the University of Glasgow; but we will make it a short and interesting story to our readers, without the slightest injury to them.

Matthew Clydesdale, a collier, in the middle ward of Lanarkshire, was accused of murder—the murder of an old man by savage blows from his pick-axe, in the month of August, 1818. He was arraigned for that murder before Lords Gillies and Succoth, in the Old Justiciary Court of Glasgow, on the 3rd of October following. We

remember the case perfectly, for we happened to be present during the whole trial, and heard the fatal sentence of death pronounced on no fewer than *four* different prisoners at the same circuit. But Clydesdale's case, from its results, was the most important of any. His counsel was Mr. William Taylor, Advocate, son of Dr. William Taylor, the then minister of St. Enoch's, Glasgow. He had just passed as an Advocate at the Scottish bar, and this was his first, and we believe it proved to be his last, appearance in any criminal or civil case. He was a tall, lean, cadaverous looking gentleman, and we question whether he ever smiled in all his life. He was like the picture of a potato bogle, fitted to scare away the crows. He was, however, a very learned youth, and had obviously prepared himself for this case with the greatest anxiety ; in fact, he had obviously studied his speech for the jury, and had got it by heart, with his postures and articulations all nicely adjusted, down to the very trimming of his gown—he had no wig—intending and expecting that he would make “a deep impression” in this, his native city, and be regarded perhaps as a second Cicero or Demosthenes come to plead in a capital case. His very appearance at first rivetted or commanded the especial attention of the jury ; but on he went in a most screeching and unnatural style, like some *eunuch* or other, which we read of in ancient fable, and he threw his arms upwards and around him, clenching occasionally the mahogany square table at the bar with some tremendous blows, and there were innumerable flights in his speech about dram-drinking, lovers' quarrels, and other things, quite foreign to the case in hand. He also commented on the awful doom of murderers; and he had delivered such a volume of froth at the end of the two hours which

his speech lasted, that the audience, in token of *their* approbation, gave him a round of applause, while the prisoner himself appeared to be vastly delighted with the apparent success of his eloquent advocate. But Lord Gillies very soon demolished it all with his clear-headed, logical hammer, if we may so call it. He began by complimenting his "young friend on the *uncommon* style of his eloquence," but he was sorry to remark that "some of his flights" did not apply to the case at all ; and then, step by step, his lordship narrated the facts, bringing them home clearly and distinctly to the prisoner at the bar. The jury unanimously found him guilty, and Lord Gillies, in one of the most solemn speeches of its kind we ever heard, adjudged him to suffer death by the hands of the common executioner, at Glasgow, on the 4th day of November following, between the hours of two and four o'clock afternoon—for these were the hours previously in use for executions in Glasgow and Scotland.

But now for the most remarkable and astounding portion of the sentence. Not only was he sentenced to be executed in front of the Jail, at the period stated, but the Lords of Justiciary, viz. Gillies and Succoth, "decerned and adjudged that he shall be fed on *bread and water only*, till the day of execution, and that his body, after being so executed, *shall be delivered up by the Magistrates of Glasgow, or their officers, to Dr. James Jeffrey, Professor of Anatomy in the University of Glasgow, there to be publicly dissected and anatomised.*"

When that last part of the sentence was read, a deep shudder fell over the audience, and the prisoner himself, who had been previously composed, trembled excessively at these words—rarely if ever heard in this part of the kingdom before.

## I.—THE MURDERER IN HIS CONDEMNED CELL—SINGULAR FACTS.

We may now mention that William Clydesdale, the justly condemned murderer, was a very slender little made man, but with a countenance sufficiently ferocious.

There were *three* other condemned culprits, we may remark, for lesser crimes, in the same iron cell with him, all heavily chained by the arms and legs; but two of them were respited.

The day for the execution of Clydesdale drew nigh, but no respite came, and none in truth was expected for him, it was absolutely refused. The rumour, however, ran, and was believed by the Sheriff and Magistrates and many others beside, that the *colliers* in and around Glasgow would turn out for the rescue of Clydesdale from the scaffold; and in consequence a powerful body of infantry and dragoons were ordered to be in readiness at a moment's warning. We may here remark that the Old Jail of Glasgow was constantly guarded long before and after that period, with a strong picquet of thirty or forty soldiers, regularly marched thither at given periods from the Infantry Barracks in the Gallowgate, and took up their quarters in an apartment fitted up for that purpose, adjoining the condemned cell, and directly underneath the jailor's house, which was on the western division of the jail itself. These soldiers walked by rotation, morning, noon, and night, round and round the jail, with their loaded muskets and bristling bayonets; and we remember on one occasion, on a Sunday morning, they fired, almost with deadly aim, at the head of a prisoner peering through the hole he had made for his escape on the western wall. Many of the citizens ran down to the jail that Sunday afternoon to see the *hole* which possessed the head of the

prisoner, with the *bullets* which had chipped off the rubble work around it. We need hardly observe to our present race of intelligent readers, that it is a very long period indeed since a *red-coat* has been seen standing as sentry at the gates of the Glasgow Jail.

They—we mean the red-coats, or military—used constantly to guard the doors of the Royal Bank then in St. Andrew's Square, also the old Custom House in St. Enoch's Square; and many esteemed citizens, now no more (when Government latterly, in the days of the late Sir Robert Peel, Secretary of State for the Home Department, ordered those military *sentries* to be discontinued, and to trust all to the civil power), regarded that cessation of the military to be fraught with evil tidings to the future peace and happiness of the city!

William Clydesdale, the condemned wretched man, finding that all relief for himself was completely shut out, became penitent, and apparently resigned to his fate. He was frequently visited in his doleful cell by the Rev. Dr. John Lockhart, then minister of the Blackfriar's, or College Church, Glasgow, father of the eminent John Gibson Lockhart, once editor of the “Quarterly Review,” who married the favourite daughter of Sir Walter Scott; and father also of the late Mr. William Lockhart, M.P. for several years of the County of Lanark, whose personal friendship we enjoyed on some signal occasions, yet perhaps to be disclosed, though we differed much from him in politics; and the third or the fourth son of Dr. Lockhart is the Rev. Dr. Laurence Lockhart, who demitted his charge at Inchinnan, two or three years ago, to make way for our revered friend Dr. Gillan. He need not we hope, be offended at this passing remark, nor need Dr. Laurence Lockhart; of whom we have to mention the

fact, that he married the niece of THOMAS MUIR, the exiled Scottish patriot of 1793, the history of whose remarkable life we have already presented to our readers; and although we had never written anything else in this world, we should be contented to die with the proud and pleasing satisfaction that we had done so.

II.—NOT BREAD AND WATER, BUT PORTER WITH BLOOD, IN THE  
CONDEMNED CELL.

A few evenings before the day of his execution, Wm. Clydesdale, the miserable murderer, was treated to a glass of porter by Mr. John M'Gregor, long the humane governor of the prison—a powerful, strong-built man, who could carry Clydesdale with ease under his left arm. Clydesdale was then in a most exhausted state, and he relished the glass of porter exceedingly. The governor perceiving this, said "that in place of the bread and the water allotted to him by his sentence, he (the governor) would bring him a bottle of porter the next time he visited him in his cell." Clydesdale expressed his thanks. The bottle of porter was soon brought, as promised, by the jailor, and Clydesdale quaffed off the better part of it in a small tumbler brought for that purpose. Ere he was locked up for the night, he beseeched Mr. M'Gregor, the jailor, to leave the bottle, with the rest of its contents, for his use during his few allotted hours. The humane jailor, with the approbation of his turnkeys, having no suspicion at all, at once granted this request. They parted with the prisoner heavily ironed for the night, and carefully locked the doors of his dismal iron cell. Outwardly there was no possibility for him to escape; they therefore retired to their own apartments, and fell soundly asleep. When they awaked on the following morning, and went,

confident as usual, to the condemned cell, they were horrified to find the prisoner on the floor, bleeding to death. They discovered that he had *broken* the bottle which contained the relished porter, and lacerated his throat and arm with it, that he might die in that manner, rather than go to the scaffold or to the anatomy rooms of Dr. Jeffrey in the College. This, of course, placed the respected jailor in an agony of consternation ; and not only him and his turnkeys, but the whole Magistrates of the city, because the sentence of the Court was that the prisoner should only be fed “on bread and water,” whereas the jailor, for whom the Magistrates were responsible, had allowed him this bottle of porter !

What was now to be done ? To stanch the bleeding wounds, and *preserve*—strange to say !—the life of the wretched prisoner for the scaffold, to undergo also his after doom, Dr. Corkindale, the surgeon of the prison, with several of the most eminent surgeons and physicians of the city, were called quickly to the Tolbooth to dress the bleeding wounds of this murderer, inflicted by his own hands, and they succeeded.

### III.—THE EXECUTION, AND THE WONDERFUL CLOSE.

The hour of his execution at last arrived, and the scaffold was surrounded and guarded by the 40th Regiment of Foot, and a strong detachment of the First Dragoon Guards, then stationed in Glasgow. The crowd was immense. We shall say nothing more about it, except this, that Thomas Young, the Glasgow hangman, whom we have already mentioned in these pages, most kindly and affectionately, to all outward appearance, at least, shook the poor prisoner cordially by the hand ; and the prisoner—in his white gloves, and white night-cap drawn

over his ears, and the fatal noose carefully adjusted round his neck—turned round and shook Thomas, apparently most cordially, in return; and then the fatal *jerk* ensued, which never can be heard again under the same circumstances.

IV.—THE CARTAGE TO THE COLLEGE, AND CLYDESDALE THE MURDERER BROUGHT TO LIFE!—EXTRAORDINARY SCENE.

If any one of our Glasgow readers, curious in such matters, turn up the small crumpled file of the Glasgow newspapers of that day, they will find it therein briefly stated that Ross, the other condemned culprit who was executed along with Clydesdale, “died after some convulsive struggles,” but that Clydesdale, whose case we are now noticing, “seemed to die almost immediately.”

Precisely at four o’clock on the afternoon mentioned, a cart, with a white horse yoked to it, drew up opposite the gallows, escorted by another strong detachment of the military; and the dangling body of the murderer Clydesdale was soon taken down, and placed in a newly painted black-fir box, and placed on that cart, directed for the College, in terms of his sentence, preceded by eight or ten of the town officers, in their black beavers, red coats, blue breeches, and white stockings, with their halberts and battle-axes towering several feet above their own heads. We here pause to remark, that the town officers were a more numerous body then than they are now. The Burgh Court was a great and most extensive court in those days, and required many officers, now superseded by constables and sheriff-officers in plain attire, in other directions. The crowd, on the above occasion, up the Saltmarket to the Cross, and thence to the High Street and the College, was prodigious. Every available window and house-top was

densely thronged. At last, after a slow and steady march, the College gates were reached, and expeditiously closed. All the beleagured students stood within the area leading to the Common Hall and Hunterian Museum in crowded array. Astounding was the sight, for no such procession, and no such spectacle, had ever entered within the gates of the Glasgow College. It soon transpired that Dr. Andrew Ure of the chemistry class, who afterwards went to London and became an eminent man, acting with the co-operation of Professor Jeffrey and others of the Medical Faculty, was first to make an experiment on the body of Clydesdale with a newly invented *galvanic battery*, then brought for the first time into the College. This put the students into the highest state of curiosity and excitement. The rooms and lofty gallery of that Anatomy Hall were crowded, not only by the students, but by many grave citizens, up almost to the very ceiling of the institution.

A small fire, in the centre of the round deep area beneath, was speedily kindled,—the bellows began to blow. Professor Jeffrey, a strong, tall, handsome man, with his white head of venerable hair, well comporting with the white robes he then wore for the occasion—resembling as nearly as possible a bishop's gown with lawn sleeves—soon made his dignified appearance, and took up his position, with his attendants and their surgical instruments, &c. The body of Clydesdale was then carried forward by the town officers, and placed on a table directly opposite the professor. The murderer reposed in the very dress worn by him on the scaffold. The white night-cap which covered his ghastly face was speedily removed; the cords which had tied his hands and feet, to prevent him from wrestling or prolonging his

life on the gibbet, were also speedily removed and cast aside. The murderer himself was then lifted and placed in a sitting posture in an easy arm chair, directly looking in front of the audience; and looking, too, as if he, irrespective of his doom, was one of the audience themselves! A light air tube, connected with the galvanic battery, was soon placed in one of his nostrils. The bellows then began gently to blow into that nostril in solemn reality. His chest immediately heaved! — he drew breath! Another tube was speedily placed in the next nostril. It made the executed body to heave the more. A few other operations went swiftly on, which really we cannot very well describe; but at last the tongue of the murderer moved out to his lips; his eyes also opened widely—he stared, apparently in astonishment, around him; while his head, arms, and legs (at the same time, also) actually moved; and we declare he made a feeble attempt as if to rise from the chair whereon he was seated. He did positively rise from it in a moment or two afterwards, and stood upright; at seeing which the thrill ran through the excited and crowded room, that his neck had not been dislocated on the gibbet, and that he had now actually come to life again through the extraordinary operation of that galvanic battery! At this sudden, startling, and most unexpected sight, some of the students screamed out with horror; not a few of them fainted on the spot; others of a sterner class clapped their hands as if in exultation at the triumph of the galvanic battery! Certain it is that the professor himself and his assistants stood amazed with some of their own experiments; and ere the lapse of another minute or two Dr. Jeffrey pulled out his unerring *lancet* and plunged it into the jugular vein of the culprit, who instantly fell

down upon the floor like a slaughtered ox on the blow of the butcher !

We declare we were not able to get that scene out of our head for many long days afterwards ; and now, as we are writing about it, it really seems like yesterday within the vivid folds of our memory. The firm impression on the minds of the majority of the crowded audience was, that the life of this executed murderer might have been really restored, but for the deep and prompt incision made on the jugular vein with the expert knife or lancet of the learned professor. Doubtless Dr. Jeffrey felt the importance and great responsibility of his own situation, with the original galvanic experiment, at those particular but most terrible moments. But whether or not, we are quite safe in proclaiming the fact, that this was the last case of dissection, under sentence of the Lords of Justice, that took place in the University of Glasgow.

Murderers are not now-a-days sent to any College, but their bodies are speedily devoured with chloride of lime, in the hole dug for them under the slabs of the prison wherein they have been confined till their *execution*.

## CHAPTER XL.

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### MOST REMARKABLE ESCAPE OF TWO CONDEMNED CRIMINALS IN THE OLDEN TIME.

To take the edge from off the *lancet* case of Matthew Clydesdale, which we have just concluded, and although it has been a startling, it may not be regarded as a very agreeable one by our kind readers, we have now to present them with one of a still older date, not yet detailed in any of the previous recorded annals of Glasgow, that we are aware of, and for the main features of which we are indebted to an old and much valued friend, whose accuracy cannot be questioned.

It is now more than half a century since the old Tolbooth of Glasgow was demolished. Its aspect may be yet remembered by a few old citizens ; but for the sake of those "who knew it not," it may be mentioned that the Tolbooth, for it was seldom called the Jail, was a huge, but well-proportioned edifice, built in the reign of Charles the First, and consisted of five storeys. Its principal front was to the Trongate (the *Tron-gait*, then called), but a portion of it looked to High Street, the angle being occupied by our loquacious friend the Cross Steeple, with its old music bells, still to the fore, and ringing. There were five iron barred windows in each floor looking to the

street, the tops of which were ornamented, and corresponded in elevation with those still seen in the steeple. The *Tron-gait* front projected a few feet beyond the plan of the latter, and end windows looking to the east, or down the Gallowgate (the *Gallow-gait* it was then called), occupied the projection in line with those in the main building. Between the centre windows in the third storey, the Royal arms, well sculptured, were conspicuous, and underneath was a large sun-dial. A flight of steps, with a stone balustrade, led up from the "plain-stanes" to the second floor, and was the chief entrance to the body of the building. But there were other two entrances, viz., one underneath these stairs, the other at the bottom of the steeple. This last, during the day, was protected by a half-door, with a row of spikes on the top, behind which was stationed some old Hielan' turnkey, which Sir Walter Scott has immortalised as the *Dugal Cratur*, whose keen grey eyes, like those of the wild cat, peered over at the passers by, but more especially at those who *came in*. At night, massive oaken doors secured all the entrances to this favoured old Tolbooth. The "condemned room" was in the back part of the building in the third storey; and when an execution took place, the great beam of the gallows was brought down from the entrance to the Crypt of the Cathedral, where it was usually kept, and the horrid apparatus of death erected at the Trongate end of the Tolbooth next to the steeple; the platform being so placed that the culprit walked out to it from one of the openings in the second floor of the edifice. Such, then, is a hasty outline of the old-fashioned Tolbooth.

Situated as it was in the very heart of the ancient city, it was, of course, a most familiar object of attention, and at a time when the population was comparatively small,

anything remarkable going on within the Tolbooth became the “haill toon’s talk.” More especially was this the case when prisoners lay there, as they often did, under sentence of death. Everything they said and did—in fact, their whole previous lives and actions, became staple topics of conversation, which often were interwoven into fire-side stories, greedily devoured, and long remembered by “the rising generation.”

The story we are now about to call up from the haze of the past is one of this class ;—it made a great uproar for many a long day.

In the olden time the Assizes were held in the antique hall, of horse-shoe form, in the Tolbooth. The judges walked thither in grand procession from the Old Saracen’s Head Inn, Gallowgate, long the principal hotel in Glasgow, where they “put up,” followed by the Lord Advocate, or his deputy, the whole legal “tail,” with the Lord Provost and Magistrates, escorted by infantry and dragoons, which struck the spectators with profound awe.

Now, it happened that at the Autumn Circuit of 1791 —this is really an old story, but is worth reporting for what follows—two prisoners were separately arraigned for *capital* crimes. The judges were Lord Stonefield, whose summer residence was at Levenside, near Dumbarton, now the property of our amiable and esteemed friend, Mr. H. Crum Ewing, M.P. for Paisley, bequeathed to him by his uncle, the late James Ewing, Esq., Lord Provost of Glasgow—we hope Mr. Ewing will not be offended at us for this historical notice ; and the other judge was the celebrated Lord Hailes.

The first culprit was a sprightly fellow, named James Plunkett, twenty-two years of age, who had been a deserter from the 53rd Regiment. He became a noted thief in

Glasgow, and as there was no police amongst us in those days, he for a time committed a great many robberies with impunity—at last he was caught. On the evening of the 20th of April, 1791, he had the audacity to knock down, in the High Street, near the Havannah, Mr. Robert Wilson, a respected silversmith and citizen, and to rob him of his watch, money, and silver buckles. For this he was found guilty, and doomed to be executed at the Cross, on the 26th of October, following. His counsel was Mr. John Connell, connected with Glasgow, afterwards Sir John Connell, the eminent lawyer, whom we have previously introduced to our readers in earlier chapters.

The other culprit was George Davidson, a remarkably fine-looking young lad, not more than eighteen years of age. He was a junior clerk, for a short time, in the Register House, Edinburgh, and afterwards in the Sheriff-Clerk's Office, in Glasgow. At that time the Sheriff-Depute of Lanarkshire was Mr. William Honeyman, Advocate; and it was reputed and believed that young Davidson was “the *natural son*” of that gentleman. Be that as it may, he was charged with *forging* Mr. Honeyman’s name to two small bills, one for £10 16s., and the other for £68 15s., the former of which he had got discounted in the Royal, and the latter at the Thistle Bank in Glasgow. He was found guilty, and sentenced to be executed on the same day with Plunkett; and we have to state the remarkable fact that Thomas Muir, the younger, of Huntershill, Advocate, whose portrait adorns the first number of these our Reminiscences, and of whom we can never think without emotion, pled earnestly and eloquently, but in vain, for the unfortunate youth.

The condemnation of these two persons excited uncommon sensation in Glasgow. The doom of Plunkett was

thought no more than he deserved; but the youth of Davidson, and his previous good conduct, and other circumstances, rendered him an object of public sympathy. His escape from the Tolbooth was actually planned, but as he was chained to the legs with Plunkett, the escape of the one could not well be effected without that of the other. In these days, as since, down at least to very recent times, it was customary for humane individuals to visit condemned prisoners, and to pray with or "exhort" them. It was thought nothing remarkable therefore, that a decently-dressed and demure-looking man should apply to the jailor, to be allowed to see and "exhort" Plunkett and Davidson. This person's name was James Russell, a weaver in the Calton of Glasgow; and it was rumoured and believed afterwards, that he was specially hired for the purpose, by some of Davidson's friends and acquaintances. There can be no doubt that under the guise of his praying propensity, he carried with him into the Tolbooth a brace of loaded pistols, and other things, to accomplish the end he had in view.

The day of execution was rapidly approaching. Mr. Russell begged to be permitted to remain one evening a little longer than usual with the unhappy prisoners, ready, he said, to meet their doom. His request was complied with; he was left with them alone. In the *gloamin'*, when it was usual for the turnkeys of the Tolbooth to perambulate the debtors' wards, to see that all the candles and oil lamps were put out, and strangers sent away for the night, they thought that it was time for them to visit the condemned cell, and to relieve Mr. Russell of his long visit, much longer than he generally had. No sooner had the two turnkeys opened the creaking door of that cell, and beckoned to Russell to come away, than he sprang

upon them like a tiger, and Plunkett and Davidson also caught them by the legs and overthrew them; and in that position Mr. Russell cocked his pistols at their ears and threatened to shoot them dead on the spot if they raised any alarm, or made the least resistance.

The appearance of this previously mild praying man now (in the capacity of a friend!) threatening them with slaughter, completely overwhelmed them by its stunning suddenness. He took from their girdles their bunch of prison keys hanging at their sides, and quickly unlocked the manacles which held together the legs of Plunkett and Davidson, now set free; and the three acting now in concert, actually placed their manacles on the legs of the two dismayed turnkeys themselves; after doing which Mr. Russell quietly and deliberately locked the door of the cell on the helpless and terrified turnkeys; and this *trio*, viz., Russell, Plunkett, and Davidson, stole quickly down stairs without the slightest commotion. When they came to the great massive door at the foot of the stairs, they, fortunately for themselves, found the keys of it sticking in the huge lock inside, which they very cannily opened, and got away.

When this remarkable escape took place, the head jailor, Mr. Mackay, was quietly sipping his tea in his inner apartment; and as his turnkeys were rather long in making their appearance to join him in their supper, he went up stairs to see what had been detaining them. Great was his consternation when, as he ascended, he overheard the moans or lamentations of his two turnkeys; but greater still when he entered "the condemned cells," and found the prisoners no longer there. He became like a man demented. He promptly reported the matter to the authorities; and next morning the Lord Provost and

Magistrates offered a reward of £150 for the apprehension of Russell, Davidson, and Plunkett, or £50 for any one of them.

We may now mention that these three individuals (no doubt with delighted but palpitating hearts), cautiously but rapidly wended their way that night northwards towards Balfron, but in the morning they finally parted. Davidson, with his friend Russell, made a long round-about detour towards Greenock, and successfully escaped to America. But Plunkett scorned the idea of going abroad. Instead of keeping out of the way, as the instinct of self-preservation might have dictated, he, like the moth attracted to the candle, soon found his way back again to Glasgow, somewhat disguised, where he recommenced his old thieving pranks, by committing several bare-faced thefts. At last he went into a silk-mercer's shop in daylight, and seeing only a little boy in the place, he asked for a sight of some silk stockings—for silk stockings and nankeen pantaloons, strange to say, were more in vogue then than they are now. The boy showed him one parcel, and then another, and while pretending to look over and price them, Plunkett snatched up one of the parcels of stockings, and bolted with them. The astonished boy ran after him, crying "Catch thief, catch thief," and Plunkett himself joined in that cry to divert attention from himself. At last, as his evil stars would have it, he slipped his foot at Gibson's Wynd (or land), at the corner of the Saltmarket, and before he could well recover himself, the shop-boy was up and on him. Within a few days afterwards, he was sent from the Fiscal's Office to the Tolbooth as a prisoner for this detected theft. Nobody knew at that time that he was such a character; but immediately on seeing him, one of

the old turnkeys bawled out, “Plunkett, Plunkett, is it really you ?” to the no small surprise of the other officers of the old Tolbooth. He coolly answered, that “He did not intend to be so soon back again, but could not help it !”

The news of course soon spread of his capture, and the Tolbooth was besieged with eager and inquiring crowds, to get a peep of him, with his head looking through the stanchions. But a serious and important difficulty arose—the first of its kind in Glasgow. The day for his *execution* by the original death-warrant had long passed away! Could they really *hang* him up at once for the old crime, now that he had come within their clutches, in the Tolbooth from which he had so daringly escaped, or must they wait till he should be tried for his new crime? In that singular and most unexampled difficulty, the case was reported to the Lords of the High Court of Justiciary, in Edinburgh, and to Edinburgh he was sent, under a strong escort. Before being asked by their Lordships whether he was the same James Plunkett who had been sentenced to be executed at Glasgow, but had escaped from its Tolbooth, the bold culprit, in his usual defiant spirit, and in opposition to the advice of Mr. Connell, who again attended as his counsel, and wished him to *decline* answering it to his own detriment, yet he shouted out that he was the identical James Plunkett, and would not deny it, whereupon the court asked Mr. Connell if he had anything further to say, or any other plea to urge on behalf of the prisoner? Mr. Connell replied that if the prisoner had not made the distinct admission he had just done, that he, as his counsel, might have had a good deal to say, but which he now felt himself utterly precluded from saying.

The Judges, therefore, unanimously recurred to the original sentence applicable to the old crime, with this difference only, in regard to dates, that Plunkett was now adjudged to be kept in safe custody, and executed at the Cross of Glasgow, on Wednesday the 17th of January, 1792, between the hours of two and four o'clock afternoon.

The Magistrates took precious care this time that he should not escape; no “exhorters” of any kind were admitted to see him without being thoroughly searched; and from that day to this, no condemned prisoner whatever is left for a single moment without the watchful eyes of formidable turnkeys—excepting always, we should observe, the singular mishap about the bottle of porter, in Clydesdale’s remarkable case, lately handled; but that has now been rectified or guarded against by the most constant vigilance, as exemplified in Pritchard’s recent case—all of which cases, we should fain hope, can have no parallel again in the history of Glasgow, or in the wider history of Scotland.

We are not yet done with the wretched Plunkett. When the fatal day and hour arrived for his execution, it was with difficulty that he could be induced to leave his condemned cell, notwithstanding oft repeated messages sent him from the Provost and Magistrates, who were waiting for him in the Court Hall. Soon after three o’clock, however, he appeared, bound hands and legs. The amiable and Rev. Dr. Balfour, of the Outer High Church, whom some yet in Glasgow may remember, put up a short, fervid, and appropriate prayer for him, but during it he stood unmoved. He had, as some thought, evidently imbibed some infatuated notions of ultimate escape, and so he began in a boldish style, to make a long address to the assembled and excited crowd. It was

whispered to him by the hangman that his time was come; still the culprit went on with his harangue, and the fatal noose was abruptly placed over his head, and held fast, the hangman suspecting that he would try to leap down from his elevation amongst the crowd below, who might aid him in his after escape. He persisted in addressing the crowd, and refused to allow the hangman to pull the white cap over his ears, or to place the other fatal signal in his hand. Some of the other officials imagined that he really entertained the idea that if he could, by any possibility, prolong the hour fixed for his execution *beyond* four o'clock, as it tolled on the Cross-steeple, that the Magistrates could not and would not dare to execute him, and that he would have another chance for his life before the Lords in Edinburgh, with better success now, if he held his tongue, than he had lately exhibited. The crowd at all this became impatient. The Magistrates became uneasy. He was at last peremptorily told, within a few minutes of four o'clock, that if he did not then resign himself to his fate, the executioner would swing him up within the next minute. On that he scornfully snatched and *threw* away the white handkerchief, and was instantly launched into eternity.

We cannot help feeling, even at this great distance of time, some lingering commiseration for the wretched man. If the same scene, or anything approaching to it, could occur now, what a *furore* there would be about it? One thing is certain, if we may believe traditional story communicated to us, that the execution of Plunkett, with his antecedents, and the escape of his companion Davidson, formed the theme of many discussions in Glasgow, connected with the rather amusing story we are now about to tell, and with which we shall close this long chapter.

The ancient Magistrates, not sorrowing, but rather pleased with this execution, which had relieved them of a vast deal of trouble, and no small anxiety, gave orders for a substantial dinner to be ready for them and the other dignitaries of the city, after it was over, in the Town Hall, at the Cross, which has yet all the remains of being at one time a most handsome and elegant establishment. Such dinners were not unusual after executions in the olden time; they were what was called the "*dead chack*," and the wine consumed was called the "*burial wine*," defrayed of course out of the funds of the Incorporation of the City; and some jolly ones there were, even on the gravest occasions.

Meanwhile the dead body of Plunkett was cut down from the scaffold, and carried to one of the inner chambers of the Tolbooth, for interment in some out of the way place, at midnight.

The Magistrates were enjoying "their potations pottle deep;" but the sound of alarm reached them "ere the wee short hour ayont the twal," as Burns describes it. One of the turnkeys or *Dougal Craturs* in the Tolbooth, who had the charge of the dead body, trembled from head to foot, at hearing some unearthly howl from that inner chamber. Could Plunkett have come to life again, or could this be his howling ghost? They listened at the foot of the stairs, but the howling continued. Some of the Magistrates, with their eyes half shut, began to upbraid the hangman, that he had bungled the business, and that he was but a poor silly body, not fit for his work; and others of them began to make the deepest reflections about what the Lords of Justiciary would next say to them anent the aforesaid James Plunkett, of awful memory, now brought again to life! A few had better

courage, and—including the Lord Provost—they hastily arose from their seats, and went to the cell where Plunkett lay, with truncheons and lanterns in their hands, to see how they could dispose of him. And, O ! what did they discover, to their own vexation and discomfiture ? Not poor Plunkett revived, or any ghost visible, but that a small highland terrier, belonging to one of the *Dougal Craturs*, had accidentally been shut up in the dead-room, and as the beast could not speak Gaelic, it had done the best thing to make its wishes known, by dolefully whining in its own mother tongue, for the purpose of getting out, in which it was successful, at the expense of a kick or two from the enraged Bailies, who returned to finish “their chack,” and to drink Plunkett’s dredgie.

CHAPTER XLI.

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## THE SHOCKING CASE OF BURKE AND HARE IN EDINBURGH, AND HARE'S WIFE IN GLASGOW.

DISTRESSING, nay shocking, as were the proceedings of the Glasgow Resurrectionists, in the matters previously described, and to which we shall no longer refer ; they were as nothing in comparison with the terrible proceedings that subsequently occurred in Edinburgh, in which two memorable, yet diabolical wretches, of the names of Burke and Hare, conspicuously figured. All Scotland rang with that case, and it will go down to generations still. We have certainly no wish to harrow the feelings of our readers about it, but it deserves to be shortly mentioned, as a sequence to the Glasgow proceedings, so often referred to.

Be it known then, to our indulgent readers, that William Burke and William Hare, were two Irishmen of the lowest class, domiciled in the Cowgate of Edinburgh, in the year 1828 and 1829. They had heard of the shipment of dead bodies from Ireland to Glasgow, and from thence to Edinburgh, for the purposes of *Anatomy*, and of the large price given for each dead body ; not less than £5, and sometimes as high as £20 and £30 sterling, according to the requirements of the anatomy table.

Shocking traffic, certainly—but human bodies are yet bartered away in the slave trade, in many parts of this world, without the least compunction. Burke and Hare had frequently made journeys to Ireland, in the above line of business, and were well rewarded for their pains. But they came to the conclusion—horrid enough—that it was unnecessary for them to go so far away as Ireland to procure dead bodies, since they might easily entrap living ones for the same purpose, in their own miserable hovels, in the Cowgate or Canongate of Edinburgh, and be better rewarded for the sale or disposal of them, to the lovers of anatomy, in the College of Edinburgh. These two wretches therefore, viz : Burke and Hare, with the knowledge of their wives or concubines, who resided with them, resolved to commence the butchery trade, on human life falling within their meshes in Edinburgh. There can be no doubt of that fact. Nor can there be the least doubt of this other fact, viz : that the first victim they speedily selected for this horrid business, was a poor forlorn widow woman, of the name Campbell, who had come to Edinburgh in search of her son. She soon found and obtained lodgings in Burke and Hare's house. They coolly strangled her while she lay asleep. A young friendless girl of the name of Paterson, was enticed by these monsters into their abode, and they strangled her in the same manner. They were going on at this shocking rate with many other victims, receiving large sums for their bodies when delivered up in the anatomy class rooms of the College of Edinburgh. But at last they fell upon a pitiful, but dreadful subject, which ultimately terminated their own wicked and criminal career. There was at that period a poor harmless idiot boy in Edinburgh, who was suffered to run about the Canongate unmolested, and answered to the name

of "Daft Jamie;" he was rather a favourite with all and sundry in that neighbourhood, and the great delight of the poor idiot himself, was to run after the horses and carts of the Haddington and East Lothian farmers, as they came into the Grassmarket of Edinburgh, on the market day. Jamie rarely missed them, and they gave him occasionally a few half-pence, which he carried faithfully to his poor mother in the Canongate. He now disappeared for several days, and nobody could tell what had become of the poor inoffensive creature. This is the fact, that Burke and Hare had enticed him to their dark abode, and one evening they plied him to such a degree with whisky, ale, and porter, that the poor helpless boy fell fast asleep in their shambles. They then made the shocking attempt to smother him, but the alarmed maniac started from his slumbers, and with the first flush of sound reason now dawning upon him, he made the most desperate, if not heroic resistance, and nearly overpowered the two monsters who were laying their diabolical hands upon him, for it is the fact, that with his piercing teeth,—the only available instruments he had about him, for the designing murderers had tied his legs and arms together—yet, with his teeth, he had inflicted some severe wounds on Burke, which the latter carried with him to the scaffold. The two combined diabolical murderers, however, after a most desperate struggle, the fiercest they ever encountered, soon succeeded in effectually smothering poor Jamie. When his dead body was carried to the dissecting rooms at the College in a sack, and some £8 or £10 paid for it, one of the students recognised the body as being that of the supposed lost or wandered Jamie, whom nobody could otherwise account for. And that special circumstance, with some others, soon raised the *Hue and Cry*

against Burke and Hare. Instantaneous was the discovery of their shocking crimes—all too of the most horrible description—against quiet innocent and unoffending persons, men, women, and children, indiscriminately, without mercy and without remorse. Burke himself confessed to the perpetration of no fewer than seventeen or eighteen different murders, for the anatomy table, by his own hands! Never was the like of this disclosed in Scotland.

Of course the law officers of the Crown, represented by Sir William Rae, then Lord-Advocate of Scotland, became determined to bring these atrocious criminals to trial and condign punishment—but they experienced a difficulty. They felt they could not bring home one of the most particular charges against Burke and his female hag or associate, Helen Macdougall, without the direct evidence of William Hare, who, in order to save his own neck, had offered to become “King’s evidence,” as it was called, against his guilty associate, steeped to the neck in crime. Therefore, William Hare was left out of the indictment, in order to be received as a witness on the trial, which took place in Edinburgh, before the High Court, on Wednesday, the 24th of December, 1828.

We shall not fatigue our readers at any length about it. We shall merely record this fact; that all the talent of the Edinburgh bar was enlisted—thus, on the part of the crown, there appeared, the Right Honourable Sir William Rae, Lord Advocate; James Wedderburn, Solicitor-General, with Robert Dundas, Advocate Depute, Archibald Alison, also Advocate Depute, (now our respected Sheriff in Glasgow), and Alexander Wood, also Advocate Depute, who afterwards became one of the able judges of the Second Division of the Court, under the title of Lord Wood—as Mr. Alison himself, with a better

title, should have been long ago. On the other side, for the accused, it is almost marvellous to relate the fact, that the following most able and eloquent counsel mustered at the bar to watch the proceedings for, or against them, viz:—James Moncrieff, Dean of Faculty, afterwards Lord Moncrieff, whom we have repeatedly noticed in these Reminiscences, Henry Cockburn, afterwards Lord Cockburn, Patrick Robertson, afterwards Lord Robertson, Mark Napier, David Milne, Hugh Bruce, and George Paton, Esquires, Advocates; and amongst them also for the prisoners was Duncan M'Neil, Esq., Advocate, now the present revered Lord President of the Court, and First and Chief Magistrate of Scotland. We name this list in order to show that the glorious bar of Scotland has never turned a deaf ear to the case of any criminal, however hardened or atrocious his crime might be. Is there another country under the sun which could say so much?

At half-past ten o'clock, on the morning of Wednesday, the trial commenced, and it lasted, without intermission, till half-past eight o'clock on the following morning, when the jury, after the luminous charge of the Lord Justice Clerk Boyle, retired to consider their verdict. A dark gloomy morning it was, though it ushered in the Christmas day of Thursday, the 25th of December, 1828. The jury unanimously found the prisoner Burke guilty of the crimes libelled; but they acquitted the woman, his paramour, for what reason we know not, nor is it now in the least degree necessary to inquire.

The Lord Justice Clerk soon began to put on the black cap, characterizing the crimes as the most atrocious that had ever been committed, indicating that the body of the culprit should be hung in chains, to bleach in the winds;

but ordering it to be publicly dissected and anatomized, and part of it to be preserved as a skeleton, "in order that posterity might keep in remembrance his atrocious crimes."

On the 28th of January, 1829, the monster was executed amidst the derisive shouts of upwards of 20,000 human beings, the largest assemblage ever seen at any execution in Edinburgh. Loud cries were uttered for the execution of Hare, at the same time. "Where is Hare?" cried the enraged crowd—"Burke him also! Wash blood from the land!" And, sure enough, an application was made to the Court to try Hare also for murder, but the Court, after a solemn discussion, decided that no person adduced as a witness in any case, could be tried for the crime charged in that particular case, wherein he had been called upon to give his evidence. This should have settled the wild and raging controversy in a late Glasgow case—we mean the Jessie M'Lachlan case; the principal agent in which, for that woman, and who concocted, or at least was fully accessory art and part in concocting her false and wicked sensation statement, was lately obliged to fly for fabricating another positively false statement, pertaining to his own ends. So true it is, that the *truth* in all cases of murder generally predominates at last.

#### HARE AND HIS WIFE.

From that day to this, the case of "Burke and Hare" has been remembered. History and romance, prose and rhyme, have been nearly exhausted to paint parallel tales of horror; all the cities, towns, and villages in this kingdom, were then into the most perturbed state about it. The nursery tales of clapping a plaster on the mouth

of people, as Burke actually did with some of his victims, the terror of being “Burked,” and the dread of the dissecting knife, was in the mouths of everybody; while thousands visited the diabolical dens of Burke and Hare in Edinburgh; and even paintings of it in canvas were paraded through the country. In Glasgow the ferment was immense, and the more so, because, amongst others, whether in frolic, or reality, a servant girl in George’s Street, publicly reported, and the newspapers enlarged on the theme, that “a sticking plaster was put upon her mouth of such an adhesive substance, that it could not be got off without taking the skin along with it;” and the Glasgow *Chronicle* actually wound up one of its grand paragraphs on the subject, in the following words: “wretches who can behave thus at any time, and more especially in the present state of public feeling, are a disgrace to society.”

Hare having quietly made his escape from Edinburgh, he walked out for several miles, and took his seat, muffled up, on the outside, as an engaged passenger, on one of the Dumfries coaches, bound for Dumfries, and from thence to Portpatrick, for Ireland. It was a cold, stormy, wintry night, and when the coach stopped at Noblestone, on the second or third stage of the journey, to allow the passengers to warm themselves at the inn fire, and take some refreshment, if needed, the culprit Hare cautiously enough retired into a corner of the inn, and there being one *inside* seat vacant, Hare stipulated with the guard for the occupancy of it during the remainder of the journey to Dumfries. He accordingly was the *first* then to take his seat in the *inside* of the coach, and the other passengers soon took up theirs, in the same compartment. It happened, unfortunately for the *Burker* Hare, that

Mr. Erskine Douglas Sandford, Advocate, brother of Sir D. K. Sandford, of Glasgow, was travelling as an inside passenger in the same coach, and looking at this stranger or intruder now occupying the vacant seat, Mr. Sandford had no difficulty in at once recognising Hare, for Mr. Sandford himself had been in Court during his examination against Burke. Whether rightly or humanely, we shall not say, but Mr. Sandford, with the approbation of the other passengers, called instantly for the guard, and the shivering miscreant Hare was soon expelled from the snug inside seat of the coach, to the bleak uncovered one on the outside thereof. When the coach reached Dumfries, the news spread like wildfire against him. He was pelted and nearly stoned to death, and, indeed, he would have been murdered in that place, but the magistrates contrived to get him away in a post-chaise, and none afterwards knew what became of him. His wretched wife, however, with a baby in her arms, came to Glasgow in the course of the following week, with the view of getting from the Broomielaw to Ireland, perhaps to join her shocking husband, for what really will some women not do for the vilest wretch that ever disgraced human nature? The Glasgow *Chronicle* of that date has the following pathetic story about her—"She was rescued," says the *Chronicle*, "from the hands of an *infuriated* populace in the Calton, and got protection with her infant, in one of the police cells. She states that she has lodged, for the last four nights, in a wretched hovel, with her infant and 'her bit duds,' hungry and naked, as her clothes were torn in shreds from her shoulders, and she says she would much rather be killed outright than what she has suffered the last fortnight. She occasionally bursts out into tears, while deplored

her unhappy situation, which she ascribes to Hare's profligacy."

We willingly close this picture by noticing, that she escaped out of Glasgow far better than she had entered it. Captain James Dalziel, of the "Eclipse" steamer, and the first of its kind that sailed between Glasgow and Belfast, gave her, we think, a free steerage passage to Belfast or Londonderry. Some yet in Glasgow may remember him, as latterly the active agent of the Lloyds' underwriters, in Glasgow, and a trig little gentlemanly fellow he was, who had braved many rough and tempestuous seas, at home and abroad.

## CHAPTER XLII.

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### THE ANATOMY BILL—CHANGED TIMES.

THOSE frightful scenes in Edinburgh and Glasgow which we have been faintly describing, not much perhaps to the edification of our readers, but rather to the positive displeasure of others of them, yet the blackest parts of history lead one occasionally to appreciate best the sunniest smiles when they appear; and so we have to state that the attention of both Houses of Parliament was specially directed towards them, with the view of devising a remedy against those horrid practices. We may remark, however, that the late Dr. Moses Buchanan, Professor of Anatomy in the University of Glasgow, in an address to his students, which was published thirty years ago, confirmed everything which we have here advanced about the Resurrectionists; so that none of our readers must suppose that we have been conjuring up spectres to alarm them. An Act of Parliament was passed in 1829, called the Anatomy Act, with the following preamble:—

“WHEREAS a knowledge of the causes and nature of sundry diseases which affect the body, and the best method of treating and curing such diseases, and of healing and repairing disease, wounds, and injuries to which the human frame is liable, cannot be acquired with-

out the aid of Anatomical examination; and whereas the legal supply of human bodies for such Anatomical examination is insufficient fully to provide the means of such knowledge; and whereas, in order further to supply human bodies for such purposes, divers great and grievous crimes have been committed, and lately *murder* for the single object of selling for such purposes the bodies of the persons so murdered; and whereas, therefore, it is highly expedient to give protection, under certain regulations, to the study and practice of Anatomy, and to prevent, as far as may be, such great and grievous crimes and murder aforesaid, ENACT that it shall be lawful to the Secretary of State to grant a licence to practise Anatomy to any Fellow or Member of any College of Physicians and Surgeons, or to any Graduate or Licenciate in Medicine, or to any person lawfully qualified to practise medicine in any part of the United Kingdom," and so forth.

Immediately on that Act being passed, some of the most eminent men in the land heroically commanded that their own bodies after death, should be anatomised, if necessary, and amongst these was His (then) Royal Highness the Duke of Sussex, the youngest and most popular son of King George the Third, her Majesty's Royal and beloved uncle.

## CHAPTER XLIII.

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### THE GREAT GLASGOW FIELD CASE—ATTEMPT TO RUIN A GLASGOW MERCHANT—THE BITERS BIT.

UP near to St. Rollox, at the Townhead of Glasgow, there stood a spacious mansion house, forty or fifty years ago, with printworks adjoining it, which were commonly called “the Glasgow Field,” belonging to Mr. Thomas Stewart, an old enterprising Glasgow merchant, and one of the first calico printers in this part of the kingdom. He was called “Thomas Stewart, Esq., of the Glasgow Field, Townhead,” but we do not observe that he has been noticed in any previous writings about Glasgow, though he deserves a small niche in this chapter. We may observe that the whole of his once extensive premises form now one of the adjuncts of the vast Chemical Works of Messrs. Charles Tennant & Co.—the largest, we believe, in Britain.

Mr. Stewart was a man of mark—he lived in first-rate style—he kept his carriage,—few such were then seen in the city—he enjoyed good company, and relished his magnum of claret, with rowths of rum punch; and from his position he was universally known throughout the city.

Now, at the period referred to, he was—we think—a widower, and had no children, save an only daughter, to whom he was most doatingly attached. As she grew up, she became a most handsome and beautiful creature, and when she stepped out from her father's carriage to make her purchases at Johnny Inglis' silk shop, at the Tron, or at any of the other silk mercers' shops in the Trongate—for they were then chiefly confined to that locality, not the vestige of one was seen so far west as Buchanan Street—all the beaux in the city generally flocked around to catch a glimpse of the beautiful Miss Stewart of the Glasgow Field.

“The fleeting shadows of delight  
In memory we trace,  
In fancy stop their rapid flight,  
And all the past replace.”

As her father was reputed to be a wealthy man, from his business, and herself his only child, and as it was rumoured also through the city that a large addition to his fortune was coming to him from India, Miss Stewart, of course, in her maiden prime, did not want a goodly array of ardent lovers. She had indeed, a great many of them, of various hues; and the whole of them, with one exception, were desperately chagrined and mortified to learn that she preferred to give her hand in marriage to a most steady but sprightly young gentleman in Stirlingshire; and the result of that happy marriage—for a happy one it was—is the succession, by its present holder, to one of the finest estates in Renfrewshire. He has now also a seat in the present parliament.

Chagrined and mortified, we repeat, by that marriage, which, as we have just stated, was a happy and a bene-

ficial one for all the parties more immediately concerned, it was conjectured and believed that some of the discarded wooers of the lovely Miss Stewart had formed a mortal grudge against her father, and had determined to ruin him in his estate, if they could.

“ Happy’s the love which meets return,  
When in soft flames souls equal burn ;  
But words are wanting to discover  
The *torments* of the hopeless lover ! ”

It happened, singularly enough for their purposes, and as they were well aware, Mr. Stewart had in his establishment a menial servant, of the name of William Adams. This man Adams imagined or entertained the idea, that he had a rich uncle of a nabob, or indigo planter in India, who had recently died, leaving a vast fortune, and that he, Adams, was his nearest and lawful heir. He impressed this story so plausibly on Mr. Stewart, that that gentleman kindly resolved to promote his position in life, and with that view, frequently advanced to him no inconsiderable sums of money. Not only did Mr. Stewart kindly do this, but he put himself to the trouble of advertising and writing out to India in quest of the supposed uncle. The communication between this country and India was of a very strict and limited description in those days. It took sometimes a couple of years to get a reply to any letter.

Meanwhile, Mr. Stewart himself had been making shipments of his printed calico goods to the East as well as to the West Indies, and consequently receiving drafts or bills of exchange for them in return, which, of course, he could dispose of as he pleased, being his own genuine and undoubted property.

Some of Mr. Stewart's malignant enemies hearing of the arrival of some of those drafts from the East Indies, insinuated that they belonged to the poor man, William Adams, and that Stewart was fraudulently intercepting his money, part of the proceeds of the estate of his rich uncle. Gratitude is sometimes sorely misplaced in this world, and an evil report has frequently many listeners thereunto. So the man Adams turned on his master like a viper, and insisted and demanded that he should exhibit and deliver up to him all the drafts he had recently received from the East Indies. Mr. Stewart, of course, as any gentleman would do, felt indignant at this untruthful and ungracious demand, and told the fellow that he would have nothing more to do with him or his supposed rich uncle. On that, Adams, acting on the advice of some of Mr. Stewart's malignants, went to a crafty lawyer then in the city, viz., Mr. Archibald Turner, and Mr. Turner, in the name of William Adams, actually presented a petition and complaint to the Magistrates of Glasgow, against Mr. Stewart, in which the Magistrates were urged to issue their warrant to compel the defender to exhibit and produce his books, letters, drafts, bills of exchange, or orders, relative to the foresaid Indian legacy or fortune; and to hold just count and reckoning with the petitioner for his whole intromissions therewith, or to decern against him for the sum of £35,000 sterling, more or less, besides interest and expenses. Such was the latitude allowed for petitioning to the Magistrates of Glasgow in those days. The Town-Clerk, Mr. Robert Thomson, who attended to this *summary* part of their jurisdiction, as it was called, pronounced an order for serving a copy of the said petition and complaint on the said Thomas Stewart, and ordaining him to lodge answers

thereto, within the space of forty-eight hours under certification, etc.

The *sough*, or the news of this wonderful petition soon ran through the city, and created a tremendous sensation. James Fitzgerald, the ancient town-officer, a man fully six feet high, and who was said to be the *giant* of the beagles of Glasgow, dressed in his red coat, wielding his prodigious staff in hand, amongst with his *two* concurrents or witnesses, necessary at that time for serving any legal writs, whether of small or great importance, "toddled up to the Glasgow field, at the head of the town," to serve the writ on Mr. Stewart. The sight of these distinguished limbs of the law in their official costume, in that place, actually attracted the attention of all the men and women calico printers, and dumpers, employed at the field, and even the younger children were struck by the sight of the town officers. Mr. Stewart himself was staggered and amazed at the nature of the writ when put into his hands, and he broke out into a fit of wrath and indignation at the town officers coming to him with such a thing, which they could not help; and he was fearfully wroth against Adams, the petitioner—as well he might be. But his rage only increased and whetted the rumours against him. They said he need not have got into such a rage "about the poor man's money if he hadn't got it, and kept it up." Such is the flippant way, sometimes, of people's tongues.

Mr. Stewart lost no time in flying down from his field to the chambers of his agents, Messrs. King and Campbell, writers, then in Brunswick Lane, which was the great place for many of the best scribes and lawyers then in the city. Not one of them was to be seen so far west as Queen Street, and the idea of any lawyers' chambers

in St. Vincent Street, or elsewhere in that direction would have been scouted as a chimera in an addled brain. We may remark that Mr. James King, of the above firm of King and Campbell, had been the first clerk of James Reddie, Esq., Advocate, then First Clerk or Assessor of Glasgow; and Mr. King himself was a tall handsome man, a right jolly boon companion, and with the exception of Dr. John M'Arthur, and old Mr. James Crum, it was said, he drank more *punch* than any other man of his day in Glasgow. He was steady, however, and exact to a degree in business. His junior partner was Mr. Simon Campbell, who wrote many able and most beautiful pleadings, greatly admired for their style, and complimented by Mr. Reddie in the Burgh Court, whom Lord Brougham, in a notable case, handsomely complimented, as the Lord Chancellor of Scotland. Mr. Campbell is still alive in Edinburgh, where he acted for some time as a magistrate, and is now at the top of his profession in that city. He also acted in the notable case of John Kingan, besides many others of the greatest importance from this city.

Of course, an indignant defence was speedily prepared by Messrs. King and Campbell, for Stewart, within the "forty-eight hours," utterly and absolutely denying the statements in the petition and complaint of William Adams. Replies and duplies, and many other things in the legal train followed; and everybody, whether friend or foe of Thomas Stewart was *speering* (inquiring) how the case was getting on? For some reason or other, best known to himself, Mr. Archibald Turner, the original agent, threw it up; but Adams, as his friends said, went to a more expert agent, viz., Mr. William M'Kechnie, writer, in the Stockwell, who would soon dig out the

fortune from the fangs of Mr. Stewart. Mr. M'Kechnie, however, could not get money sufficient to carry out the prolonged plea in the way he wanted, and for that reason he threw it up also. *Nil desperandum!* Adams got the good graces of tall Mr. James Bogle, who certainly was the tallest scribe of his day in Glasgow. He had the drollest *twang* in his speech of any scribe we ever heard, before or since. We can give nothing equal to it, unless we fancy a man speaking through the bung of a sugar hogshead, or thumping away at some bass drum. Not a scrap or tittle of evidence of any kind was adduced in that lengthened and prolonged process to implicate Mr. Stewart in the least degree, about the Indian fortune claimed by Mr. William Adams; and Mr. Bogle himself got fretted or tired with the process, the more especially as Adams could no longer give him the necessary supplies to carry it on. The magistrates, from the very first, conceived that the plea, or rather the accusations against Mr. Stewart had little or no foundation in point of fact, and they ultimately pent up the clamorous pursuer into a corner, by issuing an Interlocutor, to the effect, that all the vapid accusations and harangues against Mr. Stewart could only be judicially determined by his solemn *oath*, which they allowed the pursuer to make if he thought proper. The pursuer audaciously appeared against his old master, still boldly accusing him of keeping up his money, and defrauding him out of his Indian fortune. Mr. Stewart, on the other hand, now calmly appeared in court on the appointed day and hour fixed for his deposition, and although he was much badgered and keenly interrogated by Mr. Boyle, nothing fell from his lips which could entangle him in any way. His oath flatly negatived the whole of the pursuer's accusations

against him. The magistrates, therefore, through their learned assessors, had now a plain and easy course to settle the plea. They dismissed the petition and complaint, assoilzied Mr. Stewart, and found the petitioner liable to him in expenses. Had there been penny newspapers at that time in the city, what screeds this case might have afforded to them: but not one of the old newspapers made the least allusion to it through the whole course of its transit before the magistrates. Yet the case itself was in almost everybody's mouth. Some sided with Mr. Stewart, others went the length of saying that he was a *perjured man!*

In common sense, and with the dictates of common law this decision of the magistrates should have been the *quietus* in this case for all parties. But it was not so. An extraordinary new feature occurred about it, which unhinged the whole city, and set decent people fiercely by the ears, as we shall shew in our next chapter.

“HEINOUS FRAUD.”

Under that title there came a Belfast newspaper to Glasgow, which took the shine out of all the Glasgow newspapers put together. We refer to the *Belfast News-Letter*, which arrived at the Old Tontine Coffee-Room in Glasgow, on the morning of the 3d of January, 1817; and that is a good long time ago, when the Belfast *Almanacs* were in their infancy, crying on the streets of Glasgow, as sometimes they are yet, for the Belfast *Almanacs* claim kindred with Scottish people, especially about “the new-year time.”

We need scarcely remind our Glasgow readers that the Old Tontine Coffee-Room, at the Cross of Glasgow, was the great mart of commerce, and the only great

public place in all the city, for reading and obtaining the news of the day. It was thronged prodigiously in the morning, from seven till nine o'clock, and many of the first merchants in the city walked thither at those early hours to intercept the *postman* with their letters in Nelson Street; and in the afternoons and evenings it was crowded to the doors, for there were *early* dinners and *late* suppers in those days, emanating from the Tontine in the most agreeable way. The Belfast newspaper to which we have referred, contained the following most astounding article for Glasgow people, which we must now transcribe, with its astounding title, already given—

#### HEINOUS FRAUD.

“A singular discovery is reported to have been recently made in Glasgow. A servant-man who had lived for many years in the family of a Mr. S. of that city, heard a report a long time ago, that a near relation of his had died in the East Indies, and left a considerable fortune to him. He made various inquiries to ascertain the fact, but without success. Among others he applied to his master, requesting that he would endeavour to obtain the information wanted. The master promised to do so, but after a long delay and various evasions, he at last told the servant that all his exertions had been fruitless, and that there seemed to be no truth in the report. Here the matter rested for a considerable time. Some months ago, however, the servant happening to be in company with a Methodist minister, mentioned the circumstance to him. The latter undertook to write to a friend in London, to inquire respecting the affair. He accordingly did so, and in a few days received an answer, acquainting him that the gentleman about whom he inquired had died in India many years ago, and that it was fully sixteen years since the money he left, about £20,000, had been paid over to Mr. S. of Glasgow, in behalf of a relation of the deceased, who then lived in his family. Upon receipt of this intelligence proper steps were immediately taken to bring the matter to account; but we are sorry to say that our report states, *there is little probability of much of the money being recovered, as he has given a considerable dowry to a daughter, and lived expensively.* The necessary steps, however, are in progress.”

The reading of that statement with such a title to it created uncommon excitement. Never did any Irish newspaper send such a thrill through the city. Old Mr. Thomas Hume, the keeper of the Exchange, and a burly old man was he, felt perfectly aghast, staggered, and bewildered about it, for he declared that it was just another *stab* against his friend and patron, Mr. Thomas Stewart, of the Glasgow Field. The paper was handled and eagerly read by Tom, Dick, and Harry, by everybody in short, who could lay their hands upon it. We may here remark, that there were then snug arm chairs placed at the head of the room, near the spacious oval windows, for each subscriber; and the old stagers of the city panting for the morning news took their seats regularly in that direction. There was no such thing as a paper stuck up on any board, for the accommodation of the readers of the Exchange, as we see so often now. Nor did it enter into the contemplation of any one that the period would soon arrive when telegrams from all parts of the world would be stuck up before their eyes, almost in a twinkling. So when the *Belfast News-Letter* was carefully read twice or thrice over by old Benjamin Greig, vulgarly called *Benjy*, who was one of the great mouth-pieces of the Room, and who sometimes contrived to have five or six papers at a time beneath his chosen seat, so greedy was he to devour them, as he was of other things, gave tongue to the statement therein contained, as did the older Mr. Walter Graham, celebrated by *Senex* for his rum punch qualifications; with Michael Gilfillan, the uproarious lawyer, and other *quid nuncs* of the Exchange, too numerous to mention. Thus the *Belfast News-Letter*, by that small article above quoted, stirred up the citizens of St. Mungo to a degree of excitement

which for its virulence in some quarters might have matched the incipient stages of Donnybrook Fair, with its sprigs of shillelagh and shamrock "so green." The fact of the matter is at this point, that the subscribers of the Old Tontine Coffee-Room were rudely shuffling and jostling each other, and trying to snatch the paper by hook or by crook, to such a degree, that old Thomas Hume the keeper mounted his chair in the middle of the room, and cried out that "only *twa minutes* would be allowed to ilka subscriber for the perusal of the *Belfast News-Letter*."

Old *Robin Carrick* came puffing all the way from the Ship Bank, where Mr. Stewart kept his account, to get a glimpse of the paper, and to see the contents thereof. He had to bide his turn till next day. Paper bespoke, sir! paper bespoke, sir! fifty times over, at least, that day, in the Old Tontine Coffee-Room; for it was the custom of that place in those days, when any gentleman wanted a particular paper in the hands of another, that he would *bespeak* it after the other was done with it, and in that way the demand sometimes exceeded the stinted supply. Next day the ancient room was more crowded than ever, to get a sight of the paper containing the "Heinous Fraud" of £20,000 from India. More serious frauds, in stern *reality*, we may remark, have been subsequently committed in this city, as witness, the M'Haffies, M'Donalds, and Monteiths, with others, for hundreds of thousands against the unfortunate Western Bank, which desolated many innocent families; but the storm against the innocent and respectable Mr. Stewart was carried to excess beyond all bounds. His malignant enemies got slips of the paper printed afresh in Glasgow, and scattered them against him; and his sprightly

daughter with her affianced husband, scarcely out of their honeymoon, were grieved by these insinuations against their aged father, but convinced of his innocence, they soothed him and cheered him, and soon afterwards “fortune smiled propitiously upon them.” But the old father for a season, was over powered by this attack. He shunned his usual and regular visits to the Old Exchange Coffee-Room. He learned how he had been traduced there “*behind his back*,” by those whom he had originally patronised and introduced into society; and this is too often the case;—the exceptions to it are no doubt rare, but they become the more precious and splendid, and when they do present themselves in that aspect, in their spontaneous and genuine elements, they deserve to be, or should be embalmed in grateful memory through all time. Yet the very circumstance of Mr. Stewart absenting himself from the Old Exchange gave tongue to the further story propagated against him, that he was incarcerated and laid up as a prisoner in the Tolbooth of Glasgow, for the pilfering of upwards of £20,000, belonging to his old and faithful (ungrateful) servant, Mr. Wm. Adams, who was now canonised as one of the mighty men of Glasgow, as all flagrant *impostors* connected with reputed wealth are too often regarded to be. We could tell many stories on this head, which might cut deeply on some of the haughty purse-proud *upstarts* of the city of Glasgow, as contrasted with their “*forbears*,” but we wish to glide on smoothly, without giving the least offence to anybody.

However, we must not overlook our old celebrated friend Mr. Thomas Stewart of the Glasgow Field, nor can we forget his charming daughter, in a few other brief passages.

*Appropos* to that lovely girl, when she was courted by so many of the then gay and gallant sprigs of "ancient Glasgow," long since gathered to their fathers, on whose imaginations she had stamped the deepest impression, not to be realized by any of them, for she had gifted away her hand and her heart to the *one* selected favourite alluded to; yet we may be excused for giving a short anecdote about one of the subsequent belles or beauties of the city, which may raise a smile even on a crusty face. Many yet in Glasgow may remember the Rev. Mr. Robert Montgomery, of St. Jude's Episcopalian Chapel, near Blythswood Square. He was one of the most stylish young gentlemen of the *reverend* school we ever saw in Glasgow. He paid a great deal more attention to the fashionable young ladies of the city than to any of the beggars in it. He wrote some very flighty pieces of poetry, and he published one volume in imitation of "Milton's Paradise Lost," which he actually advertised with the name of "*Satan*." We doubt not some copies of it may yet be had in Glasgow under that title. He was courting a very elegant and sprightly young lady in Glasgow, moving in the first circles, and reputed to be in the expectancy of a considerable fortune from her father—as Miss Stewart was from hers. We refrain from giving the name of this beautiful woman, for she has still the charms of lingering beauty about her, and her children, whom we know very well, might chide us for any more special notice about it. She was going to the Theatre Royal one evening, with a select party, and her father's carriage had driven up to the door to take them thither. The Rev. Mr. Montgomery felt chagrined at this. He could not endure any *rivals* near his throne; and he lectured and beseeched his charmer to abstain from going

to the theatre with her real intended, and more favourite lover, on this occasion. He rushed to the steps of the carriage; the doors were slammed in his face. In an agony of rage and disappointment he bawled out, "you are going to H—ll, Madam!" "No," she retorted, "I am only *flying* with all my heart from *Satan!*" That settled Mr. Montgomery's further prosecution of his suit in that direction.

So inveterate, however, did the prejudice against old Mr. Stewart become, that old *Robin Carrick*, or rather Messrs. Carrick, Brown, & Co., of the ancient Ship Bank of Glasgow, wherein Mr. Stewart transacted the better part of his bank business, intimated to him that they would not discount any more of his bills till he cleared up his character from the Belfast libel! On the other hand, old Mr. Robert Scott, formerly of Aikenhead, manager of the Thistle Bank, Glasgow, and a nice liberal jolly-hearted man he was, hearing of the rumour that Mr. Stewart was incarcerated in the Glasgow Jail, hastened to it without a moment's delay to bail him out, so great was his confidence in his integrity and honour. Yet other parties sprang upon him with their accounts not yet due, and some refused to trust him any longer with goods to his printfield. He felt the edge of *Robin Carrick's* injunctions above alluded to very much; and this by the bye, gives us an opportunity of lugging in another original story about that old miser in this disjointed place. He was waited on one day in the Ship Bank, by a decent country farmer, who had a bill for a small sum of money to discount. Robin was rather in a surly mood with the farmer, and the farmer soon got into a surly mood with him. The old gruff banker peremptorily refused to discount the bill, sheltering himself under the usual pretence

that it was not convenient. The farmer explained that it was a good and undoubted bill, but Robin would not budge. "Aweel," says the farmer, "aweel a wat, Mr. Carrick, I'll ha'e as muckle *heritage* in the hinner-en' as ye can ha'e." Robin, who liked to hear of *heritage*, or heritable property, began to stare. "Have ye any property in expectation or reversion?" asked the banker. "Ou aye," says the farmer, "I'll ha'e the braid o' my back under the sod, when I dee; can ye, ye auld sinner, get mair?" The bill was discounted!

It is now time for us to remark that although Mr. Stewart had the strongest suspicion against one or two malignant rivals of his daughter, yet he had no tangible evidence against them, and in these circumstances he was advised to raise an action of damages for the libel in the *Belfast News-Letter*, against Mr. Alexander M'Kay, the printer and publisher of that paper in Belfast; and strange to say, against Mr. Thomas Allan, an eminent *banker* in the city of Edinburgh, one of the registered proprietors of that paper, who was totally innocent of the audacious libel,—had no hand in it, directly or indirectly, yet, in law, was answerable as a partner, for the consequences. The flower, or rather the best blood of the Scottish bar was then arrayed on both sides,—thus, Mr. Stewart had for his counsel, Francis Jeffrey, Henry Cockburn, John Jardine, and J. S. More; while the Edinburgh banker and the Belfast printer had James Moncrieff, J. B. Green-shields, Robert Forsyth, and Andrew Skene. Damages laid at £3000. Keen was the struggle on an important preliminary point of this case. The defenders contended that as the alleged libel was first printed and published in Ireland, where the paper itself was conducted, the Scottish Court had no jurisdiction. But the court unani-

mously repelled that plea, sustained the jurisdiction, and remitted the case as the pursuer urged, to the Jury Court for public trial.

Now this was the first, or amongst the very first we remember, of civil cases that came to be tried by jury, in Glasgow. The Jury Court, in fact, was then in its infancy, presided over by the Lord Chief Commissioner, the Right Honourable William Adam—and singularly enough, *William Adams*, as we have already noted, was the name of Mr. Stewart's original traducer. The Lord Chief Commissioner was a great man in his day—he was, if we have not already mentioned the fact, the legal adviser of King George the Fourth, when Prince of Wales. And Mr. Adam, when in Parliament, fought a famous duel with Mr. Pitt; so when he afterwards came to Scotland, the merry wags of the Court of Session propounded this question—"Why is our new Jury Court in Scotland like the garden of Eden? Do you give it up?" Answer—"No,—It was made for *Adam*,"

But the Lord Chief Commissioner Adam took suddenly unwell, and could not come to Glasgow to try the case; and his place, therefore, was supplied by the acute and able Lord Gillies. Fresh excitement on a greater scale now began to be manifested about it in Glasgow. Some alleged that the legacy or the fortune which Mr. Stewart had pilfered from William Adams was at least £20,000, others made it £50,000, and some ran it up as high as £100,000. So keen did the contention become in the Old Exchange and other places that heavy bets were laid on the result of the trial.

But could he have a *fair* trial in Glasgow, since prejudice was running so strongly against him? He applied to the Court for a *special* jury, which the Court granted;

and like an honest man, with sufficient means at his disposal, he settled all his outstanding accounts, docqueted his accounts with his bankers, leaving him in the ascertained possession of a goodly balance ; and prepared for the coming struggle with calm fortitude, but fixed determination. In short, he dared and defied all his enemies, individually and collectively, to come forward in the light of day, and prove any of their insinuations against him.

Monday the 5th of October, 1818, was the day fixed for that great trial in Glasgow. All the eminent counsel came posting out from Edinburgh on Saturday. Mr. Jeffrey took up his abode with his brother-in-law, Dr. Brown, in one of the old self-contained houses in Miller Street, fronting Stirling's Library ; Mr. Cockburn stayed with Mr. Kirkman Finlay, in Queen Street ; Mr. Jardine with his father, the old Professor of Logic, in the College ; Mr. More with his kinsman, Mr. Richard Gillespie, in Anderston ; Mr. Moncrieff with his friend *Æneas Morrison* in West Nile Street. Lord Gillies had previously arrived at Garscube House, in the neighbourhood, the seat of his old venerable friend Sir Islay Campbell, formerly Lord President of the Court. The pursuer's counsel breakfasted together with their client and his agents, and held their final consultation in the George Hotel, at eight o'clock on Monday morning. Long before the doors of the Old Justiciary Court, where the case was to be tried at ten o'clock, were opened, the Court itself, leading from the back entrance of the Old Council Chambers was crowded to excess by ladies and gentlemen, forming the very *elite* of the city. The real novelty of that Court, sitting for this the first time in Glasgow, had its attractions, apart from the merits of the case itself ; while the masculine parade of renowned advocates, gifted with the powers of

eloquence they were known to possess, set the whole legal profession of the city into movement at a very early hour that morning. How difficult, how impossible it almost was, as we remember, to obtain access; and access indeed to the Court in those days, in any case of importance, could only be obtained by a special written order of the Lord Provost, or one or other of the Magistrates, countersigned by Dr. Clelland, the City Chamberlain, who was invariably present on these occasions. What crushing and squeezing Mr. Jeffrey himself had to get into Court! What a buzz ensued when Mr. Stewart himself also appeared at the right side of the bar, and took his seat beside his agents. Lord Gillies with the Mace soon arrived. The following special jurymen were immediately drawn, and answered to their names, and were duly sworn by old Mr. William Clerk, the Clerk of Court, and brother of John Clerk (Lord Eldin), and the esteemed friend and favourite of Sir Walter Scott; viz.:—John Hamilton of Northpark, merchant in Glasgow; James Mackenzie, merchant there; Francis M'Gill, merchant there; James Mackie, merchant there; Hugh Douglas, merchant in Port-Glasgow; John Kirkland, merchant in Glasgow; James Kippen, merchant in Greenock; John Todd, jun., merchant, Glasgow; John Wardrop, merchant there; John Muir, manufacturer, Paisley; John Brown, merchant, Glasgow; Alex. M'Donald, merchant there.

When Mr. Jeffrey opened the case for the pursuer in his brilliant speech, you might have heard a pin fall, so entrapt were the audience by his flow of eloquence. He denounced the libel line by line, and with sarcasm so charming that if there were any enemies of Mr. Stewart at that time in court, as doubtless there were, they must have felt stricken with it to their heart's core. He made

this burst to the jury, but it is impossible to give his words here with the effect which then clung to them—

“**GENTLEMEN**—The day this Belfast paper arrived in Glasgow was like throwing a firebrand into a pile of combustible matter. Yes, I declare to you that this Irish paper was so much read and thumbed, that it was reduced almost to tinder! and I do believe that it was more eagerly read in one single day, in this famed city of Glasgow, than is the blessed Bible of any pious old woman, from one end of the year to the other, nay, during her whole lifetime. This false and scandalous libel, gentlemen, is evidently of Glasgow origin. We have required these defenders to deliver up the manuscript, and to reveal the real author—they refuse to do so, he probably has given them some sufficient indemnity on that account, but whether he has done so or not, I call upon you to vindicate the character of my client, and to visit the defenders, and their aiders and abettors with exemplary damages.”

Then Mr. Jeffrey called his evidence for the pursuer, 1st, Mr. Hume, the keeper of the Old Tontine to prove the publication, and the tremendous noise and sensation it produced when first read. 2nd, Mr. Thomas Falconer, the old Judge Commissary Depute of Glasgow, and law agent of the Ship Bank, to prove that the accusations in the libel were evidently levelled against Mr. Stewart, the pursuer, to his hurt and prejudice. 3rd, Mr. Colin Campbell, merchant, who confirmed Mr. Falconer. He added, “so virulent were the accusations against Mr. Stewart that when I returned to town in a day or two afterwards, I was told he had *absconded*, and another, that he was thrown into jail. 4th, Mr. Robert Carrick, the leviathan of the Ship Bank was next called. His evidence was rather unique, and was listened to with profound attention. “Mr. Stewart does his business with us, we have discounted his bills for a considerable time; he was in very good credit up till January, 1817, when the libel appeared. Some person told me of his interference with

money coming to Glasgow from the East Indies, and on seeing the paragraph in the Belfast paper, I sent for Mr Stewart and questioned him about it. He said it was a malicious falsehood. I told him he must vindicate his character, that this was a stroke to his credit, *and that he must lessen his business with us till he cleared it up.*"

Blush, ye dashing and reckless speculators, ye "bulls" and "bears" in Glasgow, of later times, at that rebuff of the canny old banker !

Mr. Michael Rowand, the cashier and junior partner in the Ship Bank, was next called to confirm the evidence of *Old Robin*, as he was universally called at that period. Mr. Rowand candidly stated that he also "*insisted that Mr. Stewart should lessen his business with us, as his bankers, till he cleared up his character.*" "Mr. Stewart," he added, "*always brought his bills himself to be discounted, and left them with us for careful inspection before they were discounted. Our rules for our customers were, to lodge their bills intended for discount with us, before one o'clock on Monday afternoon, and to call for their answer on Tuesday, the following day, between the hours of ten and twelve o'clock.*" Marvellous change in Glasgow in banking affairs since those times !

Mr. Robert Scott, of the Thistle Bank, formerly referred to, deponed that he knew Mr. Stewart intimately and well. The article in the Belfast paper struck at him. Witness heard that he had been sent to jail in consequence. "I had such faith, as I have still, in his honour and integrity, that I went to the jail to offer him all the aid I could, but happily I found the rumour to be *false.*"

Mr. John Wilson, merchant, and Mr. Peter Corbett, manufacturer, were next called. The former quaintly said, "On hearing the story I went to my books to see

if Mr. Stewart was owing me anything ;” and Mr. John Brown of Carluke admitted that he had lodged some of his money in Mr. Stewart’s hands, but demanded it up whenever he heard of the paragraph in the Belfast paper! James Jenkins, the coalmaster at the Townhead, began to doubt whether he should entrust Mr. Stewart, in the face of that paragraph, with any more coals ! We need not go over the whole evidence, from the memorandums of it in our possession, graphic as some of them are. Suffice it here to say, that the pursuer’s counsel concluded by putting in as evidence the old process at the instance of Wm. Adams against Mr. Stewart, before the magistrates, in which the latter was assailed, with expenses, not one farthing of which was ever recovered ; and then Francis Jeffrey, the leading counsel of Mr. Stewart, boldly defied his learned friends on the opposite side to go on with their evidence against Mr. Stewart.

They made but a sorry figure. Not one single solitary witness was brought forward to sustain the heinous accusations in the Belfast paper. Not the thread or scrap of paper, or document of any kind was produced to show that Mr. Stewart had ever touched a single farthing of this great alleged legacy from India, or any where else. No Methodist minister was produced to colour the story in the Belfast paper. William Adams himself did not venture to appear in the witness box ; but a gentleman of the name of St. George Kilbee, who we notice died recently in London, was called by the defenders to speak to the contents of some letter which was not forthcoming. Lord Gillies ruled, and ruled justly, that as the letter itself was not produced by the defenders, and not brought home in the most remote degree to the cognizance of Mr. Stewart or his agents, that it could not be regarded

as an adminicile of evidence for one moment. Mr. Moncrieff, therefore, as the leading counsel for the defenders was at this point struck dumb. Yet he made a splendid speech to the jury in favour of his client Mr. Allan, the Edinburgh partner, whose repute and high standing made him the alpha and omega of the case, for the Belfast printer was poor, whereas, the Edinburgh partner was rich and able to meet almost any amount of damages and expenses. Mr. Moncrieff forcibly pled in extenuation of Mr. Allan, that he was travelling far away on the continent when the libel was published, that he was entirely blameless of it, and that, therefore, the jury would return a verdict in favour of his client.

Henry Cockburn, in his reply, soon unravelled that point. He said that Mr. Allan by his powder or his cash had enabled the Belfast printer to print his wicked libel, and to put his malicious match to the combustible magazine; and that he was liable as his partner in business to all the legal consequences thereof.

Lord Gillies in his charge to the jury told them, that from the state of the evidence, he conceived that this was a very gross libel indeed against Mr. Stewart; that there appeared to be no foundation for it whatever; that Mr. Stewart's character, in his lordship's estimation, stood high and spotless; and as the *vindication* of his character was his main object, his lordship recommended that they should give temperate but adequate damages.

The feeling in the court at the close of his lordship's charge, was, that £50 or £100 would surely be awarded as complete satisfaction to Mr. Stewart, carrying with it his expenses. The jury retired for a few minutes, and on their return they unanimously found a verdict in favour of the pursuer, with damages to the amount of £1500,

being the largest sum ever awarded in any action of libel in Scotland. This was a stunner for the defenders, and also for their agents in Glasgow, viz., Mr. John Douglas, acting for Mr. Allan of Edinburgh, and Mr. John Gabriel Buchanan, acting for Mr. M'Kay of Belfast. They looked at each other, aghast! They subsequently attempted to get the verdict set aside on the ground of excessive damages, and they were encouraged in that step because Lord Archibald Hamilton or others, in some cases of libel had only obtained *one shilling*; but the Court affirmed the verdict of the Glasgow jury, with additional expenses. We hope to be able to give some lighter and more interesting cases at another time, or leave our manuscript respecting them to the disposal of others.

With some satisfaction, therefore, we proceed to state that our old departed venerable friend, Mr. Stewart, triumphed over his enemies in this city. The very heart of old Robin Carrick, the miserly banker, opened up with a glow of congratulation to him about his *Fifteen Hundred Pounds*, secured by the judgment of the law. *Robin* said that the *Belfast News-Letter* had after all wafted an excellent remittance to the Glasgow Field, and so it did. Mr. Stewart, however, pocketed none of these damages. He dispensed his charities with a liberal hand, or scattered them bountifully in quarters worthy of his regard, and he lived to see some of his worst enemies scouted from the city with utter scorn; yet his once great "Field" has long since been demolished, to make way for the greater and more gigantic works of Messrs. Charles Tennant & Co., teeming with chemical science, the loftiest in the world; and which we must now humbly leave to the future historians of Glasgow to describe.

CHAPTER XLIV.

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**AN EXTRAORDINARY MURDER CASE IN GLASGOW—  
THE FATAL DOOM OF THE GLASGOW BUTCHER, &c., &c.**

IT is the fact, which some of our readers may be surprised to learn, that forty or fifty years ago, all the butchers in Glasgow were confined to particular stalls or markets in Bell Street and King Street; and no butcher's shop was to be seen anywhere else, whether in the city or the vicinity thereof. The Bell Street market was a very ancient one,—it was demolished some years ago to make way for additional accommodation in that street for the Police Office. The King Street market was a very elegant and spacious one,—it was built in the year 1754. Dr. Clelland describes it in his annals as occupying a space of 112 by 67 feet, subdivided into stalls around the area. The courts were paved with freestone, and the fronts of ashlar work, with rusticated entries; and Dr. Clelland also states truly enough that this market in King Street was considered to be “the best in this *Island*,” which means the best in this kingdom; and leads us to remember, as our readers may already have seen in print, the earnest and remarkable prayer of the old respected minister, in the island of Arran, in this wise—“O, Lord, continue to be with thy people, in this, thy favourite island—the big

Cumbrae and the wee Cumbrae—and remember all decent Christians and dour sinners in the *adjacent* islands of Great Britain and Ireland!"

This is the undoubted fact, that all the representatives of the best families in Glasgow, whether "gentle or semples," walked to the fashionable beef and mutton Market in King Street early in the forenoon, to make their requisite purchases. We repeat that there was not a single butcher's shop then to be seen in any other quarter of the city; certainly not one in all the direct range from King William's statue at the Cross of Glasgow, down, as it was called, to the "village" of Anderston, and not one in the neighbourhood of the Cowcaddens or Sauchiehall Streets. All were centered in King Street and Bell Street at the period we now speak of, viz., in the years 1819 and 1820. Yet before entering on our story, we may make the observation that this fine spacious market in King Street, so described by Dr. Clelland, wherein all our great merchants, bankers, manufacturers, and others, including the surrounding nobility and gentry, derived in those days all their delicious roasts, is now literally deserted, while at the present day every street and alley of our vast and flourishing city has its own favourite and flourishing flesher—nor is it out of the way here to add, that the mutton and beef of the present day, with the vegetables accompanying them, are as excellent in quality, if not infinitely better than they ever were, in the city of Glasgow, at any period of its rising or remote history. Curious it may be here to remark, that, whereas there were only some forty or fifty master-butchers altogether in Glasgow, at the period referred to, there are now some three or four hundred of them; and ever on the increase, with increasing and wholesome stomachs.

Before we enter on the *tragedy* we are about to relate, we may as well narrate a rather humoursome story, which we saw with our own eyes, in the mutton market in King Street. A queer old carle of the name of Campbell, who wore hair-powder, and had done a great stroke of business in the West Indies, became bankrupt; but there were some flagrant circumstances connected with his bankruptcy which raised the ire and indignation of old Robin Carrick of the Ship Bank, and that bank, or banking company, were his chief creditors for a goodly sum. Mr. Carrick peremptorily denied him his discharge on any terms except payment in full, for his mind had been poisoned with the belief that the bankrupt had kept up a large sum of money in some corner or another; and on no account would Mr. Carrick consent to his discharge, although some of the most respectable merchants in Glasgow interposed and beseeched him to do so. He was inexorable to all their entreaties. The old bankrupt was vexed at this. He had now been kept out of his discharge for two or three years, all through the determined obstinacy of Robin of the Ship Bank. There were no public examinations of bankrupts in those days, no reported proceedings of the kind in any newspapers—everything under a sequestration was done in *secret*, amongst the creditors themselves, or the trustee or his *three* commissioners, frequently in the Old Prince of Wales' Tavern in Wilson Street, or in the Waterloo Tavern in Hutcheson Street, or in the City Arms in the Candleriggs, or at the Pope's Eye Tavern at the head of Maxwell Street. Our old ancient friend, Mr. Campbell, was still lamenting his hard fate under the inexorable ban of Mr. Carrick. Our young bosom, we confess, rather warmed towards him, and we pitied him as he described to us one day in the

King Street Market, how he used to buy one whole cow for his winter's "mart," with sirloins of the best roasting beef, and haunches of lamb in their season, whereas, now he could only purchase a sheep's draft for *fourpence*, to feed him and his family for a whole week. He sighed at the bitter cruelty of old Mr. Carrick, the rich banker, towards him, under his reverses of fortune. While so describing his position and estate, who should make her appearance at the beef and mutton stall, but Miss Paisley, the housekeeper and favourite niece of that old banker. In a former chapter we stigmatised her penurious habits, so akin with those of Mr. Carrick himself, we doubted whether she had left a farthing to any of the charitable institutions of this city, but since then we are gratified to find that she left a donation at least of £500 to the Sons of the Clergy, which we gladly place to her credit in this place. Mr. Campbell politely took off his hat to Miss Paisley—she curtsied to him in return. The etiquette in those days was for the gentleman to salute the lady, if agreeable; but that form of etiquette is now, we think most absurdly and unnaturally *reversed*. The lord of the creation in these latter days, must not, forsooth, take off his hat to any lady, or attempt to shake her with his honest hands, unless she condescends in the first instance to recognise him, and thus many hearts, from a rigid state of etiquette, become estranged, which otherwise, as in the olden time would have leaped for joy. We do not pretend to be judges of etiquette, and have no right perhaps, to give any opinion on the subject; yet it is a good old rule in the Bible, which we would like to see sometimes better exemplified, namely, that "from the fulness of the heart the mouth speaketh." Miss Paisley was much struck by the doleful or dejected appearance

of Mr. Campbell in that market, so often described, for she had known him in his better days. When she went home to her residence, which was above the Ship Bank, at the corner of Glassford Street, she told Mr. Carrick after his dinner at four o'clock, what she had seen, viz.: the unfortunate bankrupt, Mr. Campbell, buying a sheep's draught at fourpence, for his dinner for a whole week. "Aye," says Robin, "he's done my *drafts* to a great figure, let him alone; he stands in our books for dishonoured *drafts*, all the way from the West Indies, to the tune of £1300 sterling, which would purchase all the bullocks and sheep's drafts in the King Street Market. Let him, I say, alone." Miss Paisley groaned at the prodigious figure just stated, and became indignant against Mr. Campbell, even with his *fourpenny* bleeding draught, which he had so recently displayed before her in his trembling hands. But when she next repaired to that market, as she did on the following week, she beheld Mr. Campbell prigging down the price of a sheep's head and trotters for the small sum of fourpence-halfpenny. This made a fresh impression upon her. "O, mem," said the wily old fellow, who knew her movements, and watched her accordingly, "O, mem, this is sad changed times with me, from roast-beef to sheep's head." "Whisht," she said, "Mr. Campbell, sheep's head is *better* than roast-beef; Mr. Carrick himself likes it, and I've just come to purchase one for him, but I see none better than the one you've got." "Well, dear lady," said Campbell, "I'll exchange the sheep's head for threepence worth of livers and lights, which will keep my starving family for another week." Miss Paisley was pleased with the exchange and *reduction* in the mutton market, and condescended to tell Mr. Campbell just to call at the bank between

"the *twal* hours," next day, which "*twal* hours" we have endeavoured faintly to describe in previous chapters, and to ask for a private interview with Mr. Carrick himself.

All the legal fraternity in Glasgow, all the *male* powers on earth could not have changed Mr. Carrick in his own opinions, but somehow the *female* powers of Miss Paisley, rarely put in requisition, never failed to have due effect upon him, but in no case except this, that we are aware of, did his heart yield to the sheep's draught, and the livers and the lights, as described to him by Miss Paisley, on behalf of poor Campbell. "Now sir," said Carrick, as the trembling sinner approached him next day, "there's your discharge, sir, signed by me for your largest creditors, Carrick, Brown, & Co., go away, and mind your *paper drafts* if ever you try them again in this city." There is expressive silence and sometimes sweetness in words proceeding from the most bitter tongue. It is the fact, that the amiable and relenting conduct of Mr. Carrick in this instance, brought about, through the artless simplicity of his niece, Miss Paisley, without the most distant prospect to her own advantage, led ultimately to the success and prosperity of Mr. Campbell's children, some of whom, as well as their collaterals, can now step into the Union or the Royal Bank of Scotland at this day, and cast their *drafts* quite easily at one haul across the counter for £10,000 sterling. It is marvellous how things sometimes end; but we must now enter on our present and promised story.

Be it known then, that one of the most respectable and flourishing butchers in Glasgow, in the year 1818, was Mr. William Buchanan, *deacon* of the craft, a *douce*, sober, and steady man, and one of the elders of the Relief Church of the Rev. Mr. Barr in Campbell Street, off the

Gallowgate, where not a few churches of one denomination or another were then situated. This decent *deacon* had a younger brother who sadly annoyed him; so true it is, that the *chicks* of a family do not always agree; for there is a black sheep sometimes in the best of flocks. This younger brother, whose name was *John*, enlisted as a soldier, and was at the siege of Bergen-op-Zoom, in Holland, prior to the battle of Waterloo; and that siege was conducted by the British arms, under the command of Sir Thomas Graham, afterwards Lord Lynedoch, who was called the “Hero of Barossa,” and a glorious old soldier he was, born in Perthshire, and Scotland should ever be proud about him. By the bye, we must here again diverge, with the leave of our readers, to tell a most marvellous circumstance connected with that siege, which we heard from the lips of one of the most important personages connected with it, next to the General himself. This was George Rose, a black *slave*, strange to say, originally from Jamaica, who contrived to escape from thence, and landed at Portsmouth—

“Slaves cannot breathe in England; if their lungs  
Receive our air, that moment they are free;  
They touch our country, and their shackles fall.  
That’s noble, and bespeaks a nation proud  
And jealous of the blessing.”

George Rose, whose acquaintance we afterwards intimately cultivated, soon learned and became passionately fond of music in this country, and he also acquired some knowledge of the learned languages, which he turned to good account, for towards the close of his remarkable life he became a preacher of the gospel in this city, in connection with the Methodist persuasion, and he was justly esteemed by many of our best divines. It is remarkable,

but true, that when Lord Lynedoch was preparing for his expedition to Bergen, this original, poor, helpless slave somehow or other attracted his notice, and Lord Lynedoch actually selected him to stand by his side and to be his ready and confidential *trumpeter* during the campaign. There are some families yet in Glasgow who may very well remember that once upon a time a black servant, from the West Indies, clothed here in livery attire, was regarded as an indication of opulence and wealth, or of domestic grandeur in our highest white circles.

At a stirring but most critical moment of one of his battles, Lord Lynedoch called upon his trumpeter to sound his bugle, giving the signal to retire to some other position, but the trumpeter mistook the order, and sounded the notes to ADVANCE in double quick. No sooner said than done. The British troops obeyed the mistaken order with alacrity. Lord Lynedoch himself was petrified, but ere he could correct the error, he had the gratification of seeing the enemy moving off before his victorious arms. Yet, afterwards, he had to sound the retreat from Bergen-op-Zoom in reality. All this was testified to us by Mr. Rose himself, during the celebrated trial for *mutiny* of the mate and crew of the ship "James Campbell," of Glasgow. The old black man's son was one of the chief officers of that ship, and behaved nobly. We can have no hesitation in saying that we rescued them from death, or at least from transportation beyond seas for life. We travelled all the way from Glasgow to the special assizes in the city of Exeter to countenance and support them, because we believed them to be innocent, but grossly ill-used men. The present Lord Chief Justice of England (Sir Alexander Cockburn), and the present or Ex-Solicitor

tor-General of England (Sir R. P. Collyer), were the counsel *against* the accused; but notwithstanding of that powerful array, we succeeded, with the aid of others, in bringing them home triumphantly to Glasgow, and the City Hall rang with their plaudits. We may reserve a small chapter for that case at another time, feeling proud here to acknowledge that it received the warm approbation of the powerful London *Times*, who had a special reporter at Exeter to notice it.

But all this is, of course, foreign to the great Butcher Case in Glasgow, still, by way of parenthesis, we may be excused for lugging in a few devious words occasionally, just as the dictates of memory flash upon us. This butcher, John Buchanan, was a ferocious scoundrel. He was discharged from the army, and returned to Glasgow; he was the champion at all dog-fights, the bottle-holder at all the brutal battles then too often waged in this city; and at every row or riot in the city he was sure to figure. Some of his vile blackguard associates in the city had been convicted of *theft* before the sitting magistrate in the Police Court, and properly sentenced to Bridewell. The chief witness against them was a young girl of the name of Ann Duff, who lodged in the house of an old widow woman of the name of Miles, in the Bridgegate. Buchanan, the flesher, was so incensed at that girl for giving her evidence against his guilty associates, that he determined to inflict personal chastisement upon her. She was about to be married to a young man whom Buchanan knew, but that did not soften his rage against her. He contrived to enter her lodgings under cloud of night, and grossly maltreated her. After doing that, he returned and deliberately stabbed her with his butcher knife in the most delicate parts of her body. The girl

screamed out “murder! murder!” Buchanan was seen skulking down stairs with his bloody knife in hand; he soon joined some of his companions in a whisky shop, and gloried in what he had done. The poor agonized girl, indignant at such shocking treatment, but having no one to aid her at the moment, sent next morning for her lover, but he had gone to Rothesay. With a heroism resplendent with virtue itself, she resolved, at the imminent hazard of her life, to scramble, covered over as she was with bloody wounds, to the office of the City Fiscal, in the Council Chambers of the old Jail, not very far from her own residence; and there, more dead than alive, she told what had happened. Her dying declaration was soon written down, and a warrant issued for the apprehension of John Buchanan, who, with the greatest effrontery, was singing some of his favourite songs to his admiring retinue, near the King Street market. We need not pursue this harrowing detail, except to say that Dr. Corkindale, the physician and surgeon of the prison, was instantly sent for by the magistrates to attend the unfortunate girl. He gently prepared her for the worst, because he saw her wounds were mortal, and she died on the 21st of October without the satisfaction of seeing her lover, or telling him how she had been so cruelly maltreated.

Meanwhile, Buchanan had been secured, and laid up in the Tolbooth, on the capital charge of MURDER. He lay there a long time, viz., from the 16th of October, 1818, till the 30th of April, 1819—a thing which would scarcely be tolerated in any case, however atrocious, now. At last his trial was fixed to take place in Glasgow, on the date last mentioned, before the Lord Justice-Clerk Boyle, and Lord Hermand. Considerable interest began

to be taken about it, especially as it was made known that the fleshers of Glasgow had subscribed liberally to bring out the celebrated Francis Jeffrey from Edinburgh, to defend the prisoner Buchanan.

What a crush there was in that old Court on Friday morning the 30th of April, 1819. But it did not last long. When the prisoner was placed at the bar, Mr. Jeffrey, his counsel, started an *objection* to the indictment itself, which was, that the citation served on the prisoner described the indictment as being written on nine pages, whereas (presenting the original to their lordships), it actually consisted of *twelve* pages. Staggered with this objection, their lordships certified the case to the High Court of Justiciary in Edinburgh, to meet on the 17th of May following. What then and there took place we know not, as the case does not seem to have been fully reported. But this we know, that a *new* indictment was prepared against Buchanan, at the instance of the Lord Advocate, and the prisoner ordered to be brought from Glasgow, in safe custody, and stand his trial before the High Court in *Edinburgh*, on Monday the 7th of June thereafter.

The case now becomes interesting, because of its details, and for that reason we are dwelling on it, and placing it, for the first time, distinctly on record.

The principal witness against Buchanan was the old woman Miles, in whose house the murdered girl had lodged. Buchanan's friends had been tampering with the old woman, and contrived to put her out of the way for a short time, but the magistrates discovered her, and for security's sake, and at her own request, she had apartments provided for her in the jail, till the trial itself was fairly over. She was a crouse cracky old

woman, and mingling with the prisoners in the debtors' department, which was called the *civil* side, she did not scruple to tell them all she knew about the assault and bloody murder; and she went so far as to say that "*she would like to see the villain hanged.*"

These last expressions were thought to amount to *malice* against the prisoner, and at that period malice, if proved, was sufficient to overthrow the witness entertaining it.

To save the neck of the prisoner in Edinburgh, his able counsel, Mr. Jeffrey with his junior, Mr. Duncan M'Farlane, deemed it actually necessary at a consultation on Friday evening, that *two* of the prisoners in the Jail of Glasgow, who overheard the old woman's threats or wishes against Buchanan, viz., "that she should like to see the villain hanged," should be brought to Edinburgh for the trial on Monday morning, and confront her, and so prevent her evidence from being admitted against the accused, in which case they imagined there could be no direct evidence against him, and therefore, that he might be pretty sure of an acquittal.

But how was this to be done? The two witnesses referred to, who carried on the tittle-tattle with the old woman in the Jail, were incarcerated under a lawful warrant, therefore they could not be removed from custody unless that warrant was uplifted or purged by payment of the *debts* therein contained. But this was a serious obstacle, inasmuch as the debts amounted to a very large sum, and as one of them was embraced in a *fugæ warrant*, obtained at the instance of Messrs. Ewing, May, & Co., and John M'Call & Co., grain merchants—the oldest and most respectable firm in that line of business still existing in the city of Glasgow. We have often

heard that the Lords of Justiciary in Scotland are omnipotent, and so they are. We have also often heard about *collisions*, or clashing of jurisdictions between one court and another. The legal warfare on that point waxed pretty loud and strong in the General Assembly, at the time of the Strathbogie case, and others, which we desire not to revive; but the case we are now to present to our readers, may astonish even the big-wigs of Edinburgh of the present day.

On Saturday morning the 5th of June, 1819 (remember the criminal trial was fixed to take place in the Justiciary Court, on Monday the 7th), the following petition, the original of which is at this moment in our possession, was presented to the Lord Justice Clerk—

"Unto the Right Honourable the Lord Justice-General, Lord Justice Clerk, and Lords Commissioners of the High Court of Justiciary, the petition of John Buchanan, present prisoner within the Tolbooth of Glasgow;

Humbly Sheweth,

That the petitioner is indicted to stand trial before your Lordships, at the instance of the Right Honourable Alexander M'Conochie, of Meadowbank, His Majesty's Advocate for His Majesty's interest, on Monday first, for the alleged crime of murder.

That there are two prisoners at present confined in the Tolbooth of Glasgow, on caption or other warrants, for civil debts, whose evidence as witnesses at the trial will be essentially necessary for the defence of the petitioner. Their names are Duncan Ferguson and John Syme.

The present application, therefore, becomes necessary for a warrant to convey these prisoners from the Tolbooth of Glasgow to Edinburgh, so as that they may be in Edinburgh on Monday first, to be examined as witnesses for the petitioner.

May it therefore please your Lordships to take into consideration what is above stated, and to grant warrant to messengers-at-arms, or other officers, to convey the said Duncan Ferguson and John Syme from the Tolbooth of Glasgow, so

as to enable them to be present at the petitioner's trial on Monday first; or otherwise to do in the premises as to your Lordships shall seem proper.

According to justice, &c.,

DUNCAN MACFARLANE."

The following was the deliverance immediately pronounced upon it—

"EDINBURGH, 5th June, 1819.—The Lord Justice-Clerk and Lords Commissioners of Justiciary having considered the foregoing petition, grant warrant to and ordain the Magistrates of Glasgow, and keepers of their Tolbooth, to deliver over the persons of the said Duncan Ferguson and John Syme (they being always previously cited as exculpatory witnesses on the trial of the said John Buchanan) to any macer of the Court of Justiciary, or messenger-at-arms, possessed of this warrant, in order that they may be conducted to Edinburgh to attend as exculpatory witnesses in the said trial; and authorise the Magistrates of Edinburgh, and keepers of their Tolbooth, to receive the persons of the said Duncan Ferguson and John Syme, until it shall be necessary to bring them before the Court of Justiciary to give evidence as aforesaid; and then grant warrant to and ordain the said Magistrates of Edinburgh, and keepers of their Tolbooth, to deliver the said persons to any of the macers of Justiciary, or messenger-at-arms, possessed of this warrant, in order that they may, in such custody, attend the diet or diets of such trial; and immediately after the conclusion of their respective examinations, ordain the said macer or messenger to reconduct the said Duncan Ferguson and John Syme and lodge them again in the Tolbooth of Edinburgh, therein to be detained until they shall be re-transmitted to the Tolbooth of Glasgow; and grant warrant to and ordain such macer or messenger, without delay, to reconduct the said Duncan Ferguson and John Syme to the said Tolbooth of Glasgow, therein to be re-incarcerated and detained, in obedience to the civil diligence standing against them.

D. BOYLE, I.P.D."

Was not that therefore a direct or indirect interference by the *Criminal* Court with the warrants of the *Civil* Court? If started in a *new* form now, what disquisitions

might be had upon it? But these we gladly pass over, and find no fault with the procedure itself, only to notice the remarkable fact, that the "Duncan M'Farlane," Advocate, who subscribes the above petition on behalf of Buchanan, was originally an old member of the Faculty of Procurators in Glasgow, admitted in the year 1790; but he went to Edinburgh, and passed Advocate in the year 1806. He had a flourishing business in Glasgow, but he did not succeed in Edinburgh so well as he had expected to do. He always came out from Edinburgh during the summer vacation, to reside near *Glenfalloch*, and we have frequently seen him in Glasgow, on his way thither. He became deeply involved in some unfortunate *mercantile* speculations with a fine old honourable Glasgow merchant, viz., the late Mr. William M'Neil of Hayfield, whose majestic appearance in this city some yet may remember, with his beautiful daughter, who married Major Mackie, a well-known military gentleman in Glasgow of the olden time, but in regard to the fate of Mr. M'Farlane, it gave rise to the observation, often since proven to be correct, viz., that when a lawyer, however worthy, steps out from the line of his own business, he is sure to be entangled and overthrown at last. While Mr. M'Farlane, in every respect an honourable man, was rusticating at *Glenfalloch* one summer, he was pounced on by a Messenger-at-arms from Glasgow, on a writ of caption; and he literally died of a broken heart. We have seen many of his letters and papers written at *Glenfalloch*; and we are not sure but in the great *Breadalbane* case lately decided, we could have given some evidence not foreign to the claims of *Glenfalloch* himself.

Be that as it may, the Macers from Edinburgh (old John Morrison was one of them), arrived in Glasgow on

Saturday night with the above justiciary warrant, and carried off the two important witnesses, who were no doubt glad to breathe the caller air, and to have such a nice jaunt for the first time in their lives to Edinburgh, without costing them a farthing.

A *hitch*, however, took place on the morning of the appointed trial in Edinburgh. We never could learn the exact reason of it, although Dr. Davie, one of the Town Clerks, afterwards whispered to us that one of the witnesses for the Crown was *non est*,—could not be found at the time. All that is positively known is, that the Solicitor-General acting for the Crown appeared in his robes of office, and intimated to their lordships that he felt it necessary to desert the diet *pro loco et tempore* against the prisoner. Mr. Jeffrey on the part of the prisoner expressed his disappointment and surprise. He informed their lordships that he had brought a good many witnesses from Glasgow in his defence, and he demanded to know the reason why the trial was postponed in this abrupt manner; that it was a piece of *oppression* against his client, and so forth. The Solicitor, in reply, contented himself by saying that he was not obliged to assign any reason, and as for the charge of *oppression* so eloquently dwelt upon by the prisoner's counsel, there was no ground for it, as he, the Solicitor-General, would consent to his being liberated, on his return to the Jail of Glasgow, in a bail bond of £60, for his next appearance. Wonderful condescension certainly in a case of *murder!* and especially of the foul murder here charged, but bail bonds have often been the stumbling-blocks in the way of justice.

The rejoicing culprit returned to Glasgow, and was soon liberated from the Tolbooth under that bond for £60. The two *civil* prisoners and the old woman also

returned to Glasgow, and nothing more was heard of the case for a considerable period of time.

The culprit himself, thus liberated from prison, roamed at large. He went dancing and whistling about in the markets as if nothing in the least degree injurious to him had occurred. In fact he became perfectly callous and hardened in crimes of a lesser nature ; but his *neck*, though he did not think it, was still in danger. Indignant at his continued profligacy and atrocious guilt, the mourning wooer of the murdered girl went and complained at the Fiscal's office. Could his appearance be resisted ? Could his plaintive appeal on behalf of his murdered sweetheart be righteously rejected ? No,—therefore the Glasgow authorities, with a lofty sense of their dignity and public duty, reported the case *de novo* to the Crown agents in Edinburgh, and they again in the righteous discharge of their duty, sent out a fresh carefully prepared bill of indictment against John Buchanan, accusing him of the full and atrocious murder, and requiring him to stand trial at the next Glasgow assizes, 27th September, 1819. The judges at those assizes were now to be Lord Pitmilly, one of the mildest men that probably ever wore the judicial ermine; with Lord Meadowbank, ex-Lord Advocate, who had just succeeded Lord Reston, who died very suddenly when coming to Glasgow at the previous assizes.

When Mr. Alexander Turner, the trusty messenger-at-arms went with his two stout concurrents to serve this indictment on Buchanan, in the King Street market, the latter, on the indictment being lawfully put into his hands, exclaimed in his usual slang style, “*Crifty, Geordie, what's this?*” and on glancing at the paper he threw it from him with an oath, “*nane o' your infernal*

beagle papers for me!" The other butchers in the market crowded round, and picked up and soon began to read the indictment, and understanding well enough what it meant, they advised their friend Buchanan "to cut immediately and run." There was a main of cocks to be fought that day in Thomas Hibbert's stable-yard in Madeira Court, between Mr. Maule of Panmure, and Provost Dixon of Dumbarton, for a thousand pounds; and on it Buchanan had taken up sundry bets. "Did they think," he said, "that he would *hen* or *hedge* or miss the battle? No, No,—he would stand his trial in Glasgow, and get off as sure as he had done in Edinburgh." Such was his confidence, his undoubted belief.

The bells of the city rang out on Monday evening the 26th of September, 1819, to announce the arrival of the Lords. Court to be opened next morning at ten. It was a memorable circuit. Dr. Chalmers, as we well remember, opened the proceedings with prayer. The late Marquis of Bute, with Lord Douglas from Bothwell Castle, sat upon the bench with the judges as visitors. Again and again was John Buchanan entreated by his brother and other friends to fly. They would gladly have paid the forfeit in his bond caution. He stoically refused to move. On the first, second, third, and fourth days of this circuit four individuals were already capitally convicted, and doomed to be executed, amongst whom was the well-known *Rough Rab*, for breaking into Bothwell Castle, and stealing Lord Douglas' gold watch. One of them was a pretty little boy of sixteen years of age, but a hardened thief. We think we have referred to his case already. These *four* were executed together in front of the Jail on Wednesday the 3rd of November following. This was therefore called the "Bloody Circuit," and it

was here that Lord Meadowbank pronounced his first sentence of execution. Yet there was a most laughable incident connected with it in one of the city churches on the following Sunday. It was the custom in those days, when any man was sentenced to be executed, that the precentor of the church should read out the lines requesting the minister and the congregation to pray for him. On this dread occasion the precentor in one of our city churches read out the lines as follows—"Remember in prayer four men under sentence of death, and a young man going to *sea*—his wife desires the prayers of the congregation." It was impossible to retain the laugh at this complication of names and requests.

But it was no laughing matter for Buchanan or any of his friends. His case was to be taken up at the fag end of the circuit. It happened that Mr. Francis Jeffrey could not come to Glasgow to plead for Buchanan on this occasion, but his place was filled by Mr. John Jardine, who was always a great favourite in Glasgow. He was made Sheriff of Ross and Cromarty during the administration of Earl Grey, in reward for his latent Whig politics. He died many years ago. We had almost omitted to mention that Mr. Henry Home Drummond, father of the present Duchess Dowager of Atholl, was the Advocate Depute at Glasgow on this circuit. He still survives.

Well, Buchanan's case was now *the* case on which all eyes were intently fixed. The military had the greatest difficulty in keeping away the crowds from the Jail doors. John Buchanan himself was ready. He had been annoyed by standing about the doors of the court on Wednesday, Thursday, and Friday, awaiting his case; and therefore, "to wile away the time" as he called it, he went to the

Market Inn, near to the back of the Jail, with others of his companions, and began to play at "catch the ten," besides other games at pitch and toss, heads and tails, with plenty of porter and ale, besides gills and half-mutchkins of whisky amongst them. At last, towards the middle of the day of Saturday, these memorable words were heard in that most crowded Justiciary Court, "*Macer! call the case His Majesty's Advocate for His Majesty's interest against John Buchanan.*" The accused was actually engaged in the middle of one of his sportive games when one of the town officers saluted him with that intimation. So after calling for another half-mutchkin of whisky, he parted with his companions in the Market Inn, telling them to wait, for he would be back and join them again in a few minutes. He evidently imagined that the old woman—the chief witness formerly referred to—had been *kidnapped* by some of his friends, and would not appear against him; but even if she did appear, he relied on the legal opinion he had obtained, that her evidence would be rejected on account of the *malice* she entertained against him, by the expression of her wish, that "she should like to see him *hanged*," which expression would be proved by two of the civil prisoners in the Jail, taken to Edinburgh on the previous occasion, as already stated.

When he left his companions in the Market Inn, they immediately drank his health and speedy success to him, *hip, hip, hurrah!* He actually *forced* his way through the squeezing crowd to the bar of the criminal court, and when the indictment was read and the jury sworn without challenge, he answered in a bold and defiant tone, *Not Guilty*.

The chief witness, Widow Miles, to his astonishment,

was soon called, and then commenced the important legal strife. Mr. Jardine stated his objection to her admissibility in a forcible speech. The court allowed him to *prove* his objection by the two witnesses from the jail he had specially condescended upon. Mr. John Syme was the first of these witnesses. He spoke about the loose conversation between him and the woman in Jail, but he said he attached no consequence to it. He could not declare seriously whether she wished him to be hanged or not. But, alas for the prisoner! the other witness on whom he confidently relied, viz., Mr. Duncan Ferguson, when brought forward positively *negatived* the whole statement, in so far as he was concerned. Thus the objection fell to the ground. The court repelled it, and allowed the old woman to be brought forward. She was a trig, self-composed, well-behaved woman—the picture, not of city, but of rural life in its best form. She gave her evidence in the most clear, cogent, and direct manner against the prisoner. It thrilled the audience and received the profound attention of the court. In vain the prisoner's counsel tried to explain or fritter it away. It would not do. The more he cross-examined her, the more special and pointed did her answers become ; and when she at the close described the deplorable condition of the dead body of the murdered girl, a shudder loud and deep penetrated the whole court. The evidence of the medical gentlemen for the Crown, viz., Dr. Corkindale (long since dead), and Dr. James Watson, afterwards President of the Faculty of Physicians and Surgeons—who is still alive, retired from practice, but in a good old age—was clear and decided about the mortal, brutal, and bloody nature of the wounds resulting in death. It is unnecessary for us to

go on with this evidence. We close it by saying that in every essential point the evidence for the crown was so clear and conclusive against the prisoner, that the Advocate-Depute intimated to the jury that he would not presume to detain them for a moment in so clear a case. He emphatically requested from their hands a verdict of Guilty. The dying declaration of the murdered girl, which was read to the jury, brought tears into many eyes.

Mr. Jardine made a long and able speech for the prisoner, founding materially on his innocence by the fact of his own free and voluntary surrender; and he beseeched the jury to bring in a verdict of Not Guilty, or at least Not Proven.

Lord Pitmilly mildly charged the jury, telling them that in his opinion it was the clearest case of murder he ever heard, but if they had the shadow of a doubt about it, they would give the benefit of it to the prisoner. The jury retired. In a few minutes they returned with a verdict—**GUILTY.**

It was now late on Saturday night. The candles of the Court were still flickering. Gas had not then been introduced into it, and a few tallow candles in that crowded court had a most singular effect on the anxious visage of the auditory.

The astonished, disappointed, and dismayed prisoner was soon removed from the dock by the turnkeys of the prison to a lower cell, to be brought up again to the bar on Monday morning to receive his sentence, and every one knew what that would be. Vast commotion took place in the King Street markets that evening. They were thronged to excess. The street criers were bawling out “Here you have a full, true, and particular account

of the trial of John Buchanan, for the bloody murder, at the small charge of one half-penny." The guard of military was doubled at the jail that night.

## THE SENTENCE.

On Monday morning King Street especially was heaving with commotion. The Bridgegate and the Market Lane leading to the jail were choke-full of human beings, anxious to know the time fixed for his execution, and how he would stand his sentence. The interior of the court itself was crammed almost to suffocation, and soldiers with drawn bayonets in hand were stationed in all the passages, and a troop also of dragoons with their drawn swords were prancing on the outside, surrounding the jail round about. These were indeed stirring times in the old Court of Justiciary. Calmer and more dignified proceedings take place now. The sword of justice is speedily drawn without any adventitious aid. It pierces the guilty as terribly as it ever did; but the difference is this, that the Law has undergone a degree of improvement in our day, as well as the arts and sciences themselves, commensurate with the spirit of the age. For example, the idea of proving *malice* against any prisoner is almost exploded. He receives a fair trial before an impartial jury, beyond the reach of suspicion. What more can any culprit desire, or be entitled to expect?

A most striking change took place on the culprit's own countenance between Saturday night and Monday morning. On Saturday he was playing, as we have shewn, his games of frivolity with his loose companions. Now he was doubtless thinking of his own neck, and numbering the days or hours of his existence in presence of hundreds of spectators, who had then no other feelings towards him

but those of execration; for the manner in which he had deliberately butchered the girl with his brutal knife had stripped him of all title to the least compassion.

Prior to his trial, it is singular to relate, he was twitted by some of his cronies, who prognosticated that he would die "*with his face to the monument.*" That indeed was not an uncommon expression with some of the greatest criminals in Glasgow. To explain it properly, we may state that the gallows of Glasgow, on which criminals have been executed, is generally placed on the night or morning prior to the execution, directly in front of the centre piazzas of the jail, so that the prisoner when he comes out from his cell and ascends the scaffold, may behold directly in front of him the famous *monument* erected to Lord Nelson on the Green of Glasgow, once struck with lightning. Hence the saying of depraved criminals to their companions in guilt, and the remark of others to young prodigals, if they did not take care of their hands and abandon their wicked courses, that they would die with their faces towards the monument. John Buchanan, in reply to those taunts of his companions, vowed and *swore* that he would never die in that way, and his words to that effect when reported soon after his conviction ran through the city, and created many rumours and surmises, besides making an extraordinary impression and leading to an equally extraordinary result, as we shall soon show.

Lord Pitmilly—gentle and mild, possessing the most sweet and melodious voice almost of any criminal judge we ever heard, and we have heard a good many of them in our day,—Lord Pitmilly, putting on the black justiciary hat, an emblem which for hundreds of years past first staggers and ultimately quails the greatest culprit that

ever existed, calmly and solemnly addressed the prisoner, telling him that the *motive* which induced him to commit this foul and diabolical murder only made his conduct the more atrocious. "The young unfortunate person," said his Lordship, "upon whom you perpetrated this brutal murder, happened to be a truthful witness against a degraded acquaintance of your own, and for discharging her duty on that occasion, you sir, coolly, and cowardly, and brutally, employed your butchering knife, and stabbed her several times over in the most delicate and tender parts of her body! Terrible indeed," added his Lordship, "would the state of society become, if witnesses for telling the truth were to be butchered in this manner with impunity, as you, sir, by your conduct, seem to have imagined; or if such an aggravated and atrocious crime was to pass without calling down the last and highest penalty of the law." His Lordship—without holding out the least hope of mercy to him—"decerned and adjudged the said John Buchanan to be executed at Glasgow on Wednesday the 17th of November following, between the hours of two and four o'clock afternoon, and after hanging by the neck till he was dead, that his body should be delivered over to the Professor of Anatomy in the University of Glasgow for *dissection*."

The man who, in the course of his calling, had slaughtered bullocks, sheep, and lambs in the shambles of Glasgow, times and ways without number, shuddered from head to foot when he heard the concluding words of his sentence. He swooned in the dock, but was soon removed to his condemned cell underneath; and the clanking of the irons put upon him in that condemned cell was soon heard in several places of the inner court.

## PREPARATIONS FOR THE EXECUTION, ETC.

Thomas Young, the hangman, the last finisher of the law, and the last of his race, we think, in Glasgow, whom we have previously introduced to the notice of our readers, resided, as we have told them, within the precincts of the old jail, and the sure and safe *back* entrance to his quarters in the jail was almost directly opposite to the Glasgow Butcher's Slaughter-house; so that, in that way, *Tammas*, as he was ever and anon called, became tolerably well acquainted with all his near neighbours, the Glasgow butchers, and not a few of them used to crack and joke with Tammas while he was in the zenith of his power on many occasions, without ever once dreaming that Tammas, in the execution of his duty, would lay his claws at any time on the thrapple of any of them.

His nerves, however, were to be severely tested on this particular occasion, anent his *friend* and neighbour, the condemned John Buchanan. In truth, *Tammas*, in all his varied experience, had never been on such good, easy, "familiar terms" with any culprit before. He positively visited his condemned acquaintance in his iron cell, and commiserated him on his fatal doom. The rumour also ran that the Glasgow butchers had trepanned or kidnapped Tammas; and another rumour, much more plausible, ran, and was also believed, that Tammas, from his friendship to the culprit, would, at the trying moment, absolutely decline to put the hempen rope about his neck. In that case, it was surmised that, according to the injunctions of the law, the *youngest* bailie or magistrate of the city behoved to take the place of the executioner, and do his assigned work; and, in good sooth, the fact is that many young bailies in Glasgow of former times, trembled in

their shoes when any execution approached; nor were they at all tranquillised in their minds till the execution itself was performed by the proper functionary, and hence many elected bailies in Glasgow paid their *fines* rather than enter upon office, for executions were numerous enough—too numerous, we must say, in former times. The magistrates had then no idea of hailing any executioner all the way from London. That is a modern innovation, not, we must again say, to be complained of, because in some cases John Calcraft, alias *Jack Ketch*, has really need to have his hand lawfully employed, at whatever cost, for the ends of justice.

Certain it is, that the magistrates of Glasgow were much alarmed about the finish in the case of Buchanan. His words about facing the monument were conjured up in many ways. A *rescue* was actually dreaded. The military were reinforced twice over at the jail, and the Lord Provost and magistrates issued peremptory orders to old Mr. John M'Gregor, the chief jailor, that he was on no account to allow Thomas Young the hangman to go beyond the precincts of the jail for one single minute, nor allow any person whatever to hold intercourse with Thomas, except in the presence of the magistrates and jailor, "till after the execution." Thomas assured the magistrates, who waited upon him, that he was quite ready for his work, and would perform it without fail to their perfect satisfaction.

This, however, did not prevent the Rev. Dr. Wardlaw, the Rev. Edward Irving (then the assistant of Dr. Chalmers), and other pious divines from visiting and advising with the wretched culprit himself.

The day and hour of his execution rapidly drew nigh. Never up till that date were such crowds seen in Glas-

gow at any execution. The scaffold was surrounded by police, infantry, and dragoons. All along "to the monument" stood gaping crowds, for the remarkable words of the prisoner, which we have so often quoted, actually attracted immense crowds to that quarter. He doggedly refused to make any *confession* of his guilt, notwithstanding of the earnest appeals made to him, but this was quite immaterial, or the less necessary, because the evidence against him on his trial was perfectly clear and conclusive, and has never since been questioned in any quarter.

He mounted the scaffold pinioned, trembling and pale. The rope was speedily adjusted around his bare neck, the white night-cap, ever ready on such occasions, was drawn down over his eyes and face; the handkerchief, also ready for the final signal to the executioner, was placed in the culprit's hands. He stood in that predicament—actually "facing the monument." All this was done in death-like silence, in presence of the vast crowd standing at the moment uncovered. The magistrates conceived that all was right, that their fears for any attempt at rescue, or anything of that sort were entirely at an end. The prisoner paused for a moment or two. He called out for the executioner to approach him, his eyes bandaged, and with the dread insignia of death about him. The executioner approached. "*Tammas*," said he, "is that you?" "Yes," said *Tammas*, "it's me." "Are you ready?" said the culprit. "Quite ready," replied the executioner.

On that, the culprit himself suddenly wheeled round from his position in front of the scaffold, and instead of facing the monument, he contrived to stand with his bandaged eyes, and the rope about his neck, directly in

front of the piazzas of the Jail of Glasgow; and he then flung the fatal handkerchief as far as his pinioned arms would permit him to do it, to the very opposite side of the gallows, and it alighted at the very feet of some of the magistrates there standing. The astonished executioner, eyeing the culprit, became perplexed for a moment or two at this unprecedented occurrence. He nearly lost his balance on the scaffold, but he held the rope which secured the prisoner's neck still firmly in his hand. The scream arose—some of the other officials became alarmed. Some near the piazzas, when the dread, but unexpected handkerchief flew over their heads, absolutely fainted. The dragoons brandished their swords as if an escape was now attempted. Their neighing horses were put to their mettle, and cantered amongst the crowd. The infantry drew up nearer to the scaffold, with fixed bayonets, in close or open order. The crowd ran helter skelter for their own safety. But Thomas Young, the executioner, true to his allegiance, soon recovered himself, and without waiting for any fresh signal, he tipped Buchanan on the shoulder to let him know that he was still ready, and in another moment Thomas drew the bolt, and the dangling head of the prisoner swung round and round for several minutes. No matter whether it faced the monument or not, he was effectually executed on that scaffold with little or no regret. On the contrary, notwithstanding of some of these mishaps, his execution met with the cordial approbation of the great majority of the public.

His body was not exposed to any *galvanic battery* operation in the College of Glasgow, as was the case with the body of the other murderer, Clydesdale, formerly referred to. He was *anatomized* only, in presence of a few select ardent students. The following is the note of

the expense of his execution, as paid by the City Chamberlain, and entered in his books, November 19th, 1819—

Cash paid 16 Officers attending the Execution,	- £3	4	0	
,,     4 Officers sitting up with prisoner the night previous,	- - -	0	12	0
,,     4 Officers on the scaffold,	- - -	1	4	0
,,     Thomas Young, executioner's fee (besides his salary of Fifty Guineas, with free house, coal and candle),	1	1	0	
,,     Cartage of corpse to College in terms of sentenee,	- - - - -	0	5	0
				£6 16 0

A moderate amount, certainly, for the horrid work performed. But the slump sum now paid to Mr. Calcraft, from London, is *Twenty Guineas*, and sometimes it is better, according to the special circumstances of each execution entrusted to his experienced and unerring hands.

It is a noticeable fact that the Gallows of Glasgow for the last forty years, have been snugly deposited, after their work is over, in an area within a few yards of the Glasgow Slaughter House—a fitting place surely for them by its very name.

And now, kind readers, let us bring these few remarkable *criminal* cases to a close in this publication, though we have several others not of less interest in our repositories, but we must take care and not fatigue our friends overmuch with them at this time. Perhaps some think we have *dosed* them sufficiently already; yet we hope none will condemn us for bringing out some, at least, of these crude sketches, interwoven, as we think they are, with some remarkable circumstances relating to the history and condition of Glasgow in bygone times, now

rapidly closing over our own heads. If we had not published them now, they, in all human probability, would never have seen the light of day hereafter. We happen to be one of the oldest class now alive in this city, who had the complete knowledge of them, and indeed there are things here disclosed which were peculiarly committed to ourselves, and not within the ken, much less the reach of any other living writer that we are aware of. It is certainly no boast to us that we are the oldest *political* registered scribe now alive in this city; and none in the least, that we have undergone some drudgery, and paid more penalties for doing so, than any known *Editor* ever did since Glasgow existed, and that is a bold statement certainly, but we shall prove it, if spared, in a short summary at another time. Whether we have created any interest amongst any class of readers by these dormant, but now resuscitated effusions, is a question which we cannot very well answer. It must be left to our readers themselves, with the best wishes of an old faithful servant.

“Sure so much labour, so much toil,  
Bespeak at least no canker'd soil,  
Their's be the laurel-wreath decreed  
Who both write well, and write full speed.”

## CHAPTER XLV.

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### A LAUGHABLE CIVIL CASE—THE KEY-HOLE CASE— A QUEER ACTION OF DAMAGES—FERRIE *against* BUCHAN.

OUR departed friend, Mr. Alexander Malcolm, who was a great wag in his day, had an excellent collection of curious cases, and wrote many choice articles for the *Scots Times*. One of these cases tickled us not a little at the time, and perhaps we may be excused for rehearsing it now, to change for a minute or two the dreary aspect of *hanging matches* lately commented on, and to give a more lively tone to this isolated chapter. We shall therefore call this as the title denotes, "*The Key-Hole Case*," which arose out of the following ludicrous and rather singular circumstances. The defender in the case was a respectable man, and kept a spirit shop in Wallace Court, Bell Street, which at one time was a renowned and famous street in Glasgow, and some of our greatest manufacturers had their warerooms there. The pursuer of the action, along with a female friend, both strangers to the defender, called at his premises, and desired to have half-a-mutchkin of his best rum shrub, with cold water. They were politely shown into the back apartments of his shop,

and got what they wanted. It appears, from the proceedings, that these two customers had sat for about *two hours* over the single half-mutchkin of rum shrub without once moving, either to go away, or get more drink; a circumstance which aroused the chagrin or awakened the curiosity of the defender towards them. He was still unwilling, however, to intrude upon them; but his curiosity prompted him to ascertain if possible what they could be about. For this purpose, he applied his eye to the key-hole of their door, when to his great astonishment, he saw the two customers enjoying themselves, not with his rum shrub, but with a bottle of his port wine. He jumped to the conclusion that this was a bottle of wine theftuously abstracted from his press in the room in which the supposed *thieves*, as he now really took them to be, were seated; and therefore he raised the alarm, obtained the aid of assistants, and burst in upon the quiet and happy delinquents, and roundly accused them of the *theft*. The defender, the spirit dealer, became still more surprised and indignant when he heard them stoutly *deny* that the wine was his, for they averred that they had purchased it elsewhere, and simply brought it into his shop for refreshment. With rolling eyes in his head, the defender speedily examined his wine-press, and discovered that not only one, but two or more of his bottles of wine had been abstracted from it. Still the male prisoner remained quite unabashed, and at last he insisted on sending for the dealer from whom he had made the purchase of the said wine bottle. The police sent for him accordingly. He was a respectable wine merchant, but did not allow drink "to be consumed in his premises," and he at once confirmed all that the pursuer had asserted about the *bona fide* purchase of

that bottle. The defender was struck dumb, for that he had been robbed by some in his wine-press, was as clear now as the pursuer's perfect innocence respecting that bottle. But the defender's "*mistakes of a night*" were not to terminate in that way. He was urged to apologise to the pursuer and his fair companion for breaking in upon them with such a charge, but he refused to do so, whereupon, in the course of a day or two afterwards, he was served with a libelled summons, charging him with having wantonly and maliciously accused the pursuer in presence of third parties, of the crime of theft, and concluding for £100 of damages, besides expenses. Long defences were lodged, in which the material facts founded on by the pursuer were admitted; but the defender dwelt strongly upon every alleviating circumstance, and urged in particular the absence of all malice. The pursuer replied—upon which the learned Sheriff-Substitute pronounced the following judgment, unparalleled, we believe, in the annals of judicial procedure in this city, and with it we shall close this short chapter—

"Having considered the libel, answers for the defender, and replies: Finds it admitted by the defender that after keeking through the key-hole of the door of the apartment in which the pursuer and his friend were sitting, on the occasion in question, he entered said apartment, and as set forth in the libel, accused the pursuer in presence of bystanders, first, of stealing one bottle of wine from his press; and secondly, of stealing two bottles therefrom: *Finds that it was exceedingly unbecoming on the part of the defender, as a regular dealer, to resort to the practice of keeking through a key-hole to see what his customers were about;* and that he did so, as he confesses, before he had any just reason to doubt the honesty of the pursuer: But finds also that the defender had no reasonable grounds for charging the pursuer with theft at all, until he had ascertained the actual abstraction of two bottles from his said press: Finds that before he ascertained this, the pursuer had asserted and offered to prove that he purchased

the bottle then before them from another person. On the other hand: Finds that the pursuer acted *in fraudem* of the defender, *by occupying his room and burning his candle, while he was not yielding the proper return, by consuming his drink*—accordingly modifies the damages to Three Guineas, decerns against the defender for the same, and remits to the auditor to tax the pursuer's expense.”

## CHAPTER XLVI.

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**THE DRAM-DRINKING CASE—ANOTHER QUEER ACTION OF DAMAGES — MILLER *against* DORNACH OR DARROCH.**

THE pursuer in this other notable case, set forth in his summons of damages (either prepared by A. M. or H. B.), that having quietly gone into a dram-shop in Nile Lane on a Saturday in September, 1822, “he was soon afterwards followed or joined by the defender, who forthwith proceeded without any just cause or provocation whatsoever, (*sic orig.*) to throw the whole contents of a glass of whisky in his, the pursuer’s face, which having touched his right eye, it produced a violent inflammation, *and the pursuer was thereby deprived of his vision in the said eye.*” He therefore sought £100 of damages from the defender, besides the expenses of process, etc.

In his defence (prepared by P. A. or J. W.), it was stated and explained that the defender was a *very young man*, (*sic orig.*), and had *lately* got himself married, and that it was not true that he had followed the pursuer into the house in question; but on the contrary that the pursuer followed him and some of his wedding friends or companions; that he was not long seated when the

pursuer placed a glass of whisky before the defender, which he insisted should be swigged off at once; that the defender might willingly have done so, but he perceived that there was a *mawk* or maggot at the bottom of the said glass, and not having any particular relish for mawks or maggots (*sic orig.*), he refused to drink the whole of the contents of the said glass of whisky, whereupon the pursuer not only *damned* him as a surly person, but uttered many unwarrantable insinuations and expressions such as, that he had kissed the defender's newly-made wife at a recent ball in the Waterloo Tavern, and that she had dropped her handkerchief to him at a reel of "*Babbity bowster*" in Fraser's well-known assembly rooms in King Street; which unfounded allegations or insinuations so provoked the defender in his newly-married condition that he threw a little of the whisky "into the pursuer's foresaid eye." The defender, however, averred that no such small quantity of spirits could produce anything like inflammation as alleged in the summons, but that a small quantity of *snuff* besides, was thrown "*into the eye in question*," in a minute or two afterwards by some other person, for whom the defender was not answerable.

On advising the procedure, the Sheriff-Substitute ordained the pursuer to give in a condescension of the facts he offered to prove in support of his libel, and allowed the defender to answer the same. Thereafter, a long *proof* was adduced by both parties, on advising which, his lordship disposed of this "*very important case*" (as it was called), by the following remarkable judgment, and here we also close this short chapter—

"Having advised the proof adduced by both parties, with certificate of circumduction against the pursuer, and note for the defender renouncing farther probation, holds the proof as concluded, and finds

that on the occasion in question, *the parties were in good humour with one another (sic orig.)*, until the pursuer addressed the irritating expressions mentioned in the proof as applicable to his wife, to whom the defender (*a young man*), had recently been married, in consequence of which expressions the defender, *from the impulse of the moment*, threw some whisky from a glass in the pursuer's face, part of which went into one of his eyes, and that the pursuer complained at the time that *he felt as if there was a mote in his eye*: Finds that the witness, Anthony Davidson, having been requested to assist in relieving the pursuer's eye from the mote which he thought was in it, put some *snuff* into the said eye: Finds that the pursuer was off his work for several days after the transaction, and apparently from the injury which his said eye had sustained, but whether from the whisky or the snuff or partly from both has not been proved: Finds that the pursuer has not led any proof in support of the third article of his condescendence, or that part of the fourth article which bears that he has been obliged to pay large sums to his medical attendants, or even that he took any medical advice whatever, on the subject in question: Finds that it was from the misconduct of the pursuer himself that the occurrence betwixt him and the defender originally took place, and on the whole facts and circumstances of the case assoilzies the defender from the conclusion of the action, and decerns, reserving consideration of the point of expenses."

## CHAPTER XLVII.

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### THE ORGAN CONTROVERSY IN GLASGOW IN THE OLDEN TIME—WONDERFUL CHANGES, &c.

WONDERFUL changes, truly! For from these flippant cases of dram drinking, which we have now, we think, for ever finished, we beg to introduce our readers to "The ORGAN Controversy," as it first originated in this city some fifty years ago, and which will show the wonderful revolution in public opinion which has since taken place amongst us on that subject.

In the year 1806 or 1807, Dr. William Ritchie, of St. Andrew's Church, was one of the most able and eloquent ministers of the city; but he lost his popularity, not with his own congregation, for they were devoted to him to a man, but with the members of almost all the other established churches in the city, for the reason we shall presently state. He was so enthusiastically fond of music that he had both "a big and a small violin" in his house, and these were deemed but the devil's instruments by many. He was waited on by a deputation of his brethren to give up the performance on these instruments on a Saturday night, in order that he might be better prepared for his sacred duty on the following day,

but he politely entreated them just to wait and listen to one of his favourite tunes, and they might judge of that as a specimen of the others. They agreed to do so, and he begged them not to interrupt him in the performance till he was done, which would be in the course of a very few minutes. He played to them on his *bass* fiddle, in his best style, one of his own most favourite tunes, viz.—“Old Hundred.” One the chief divines of that deputation became perfectly enraptured. He had never heard a screed of instrumental music in the same manner before, in all the course of his grave and reverend life, and he exclaimed, “Oh, ‘tis a *heavenly* sound! please let us hear it again;” and the reverend doctor, nothing loth, gave it with renewed energy and effect; in fact, he made some of them *converts* to his stigmatized music on that Saturday night.

It is the fact that the Rev. Dr. William Ritchie inspired nearly the whole of his own congregation—one of the most intelligent of any in the city—with a love of vocal and instrumental music combined, and he broached to them, for the first time, that an “*Organ*” should be introduced into St. Andrew’s Church for part of the services on Sunday. It happened that a famous “*organ*” was at that time for disposal in the city, built by the immortal James Watt, the inventor of the steam engine, which has raised the empire to such a mighty pinnacle of power;—yes, built by Watt, with his own hands, when he resided in a small house in the High Street, near the College of Glasgow; and Watt, not being able to take it conveniently with him to England when he removed thither, sold it to Mr. John Steven, who had then the only music shop in Glasgow, at No. 35 Wilson Street. Dr. Ritchie, with consent of his elders and the leading men of his congre-

gation, purchased this organ from Mr. Steven, with the view of placing it in St. Andrew's Church. They went about it very wisely and discreetly. They knew that the Lord Provost and Magistrates of the city were patrons of the church, and therefore they addressed a most respectful memorial and petition to the civic rulers, a copy of which is in our possession, and from which we hope our readers will excuse us for extracting a single paragraph or two, as follows:—

“We assure the Lord Provost and Magistrates that we give no offence to the prejudice of our people, for the congregation of St. Andrew's are all of one mind. We bring no new burden on the heritors, for the whole expense we bind ourselves to defray. We prescribe no rule of conduct to others,—we only adopt what we think and feel to be for our own edification. We encroach upon no sacred principles, no civil right of any man, or of any body of men, in the kingdom. We trust our rulers are ambitious of promoting every rational improvement, and will hail with pleasure our attempt to advance in the knowledge and practice of psalmody, and will therefore gladly concur in the endeavour to rescue our national character from the reproach of having almost neglected the cultivation of sacred music. Our heritors—who are the magistrates of one of the first commercial cities of Europe—will thus give new evidence to mankind that the genius of commerce is not the contracted spirit of hostility to the liberal arts, but the enlivening sun of science, dispelling in its progress the gloomy fogs of prejudice that have too long benumbed the energies and impaired the feelings of our country.”

That eloquent memorial, on the 21st of August, 1806, was placed by Dr. Ritchie in the hands of James Mackenzie, Esq. of North Park, who was then the Lord Provost of the city.

Provost Mackenzie and his brother magistrates were most favourably impressed with that memorial and petition; but as it was the first request of its kind ever made in Glasgow, they remitted the matter for the *legal* advice

and direction of the first assessor, James Reddie, Esq., Advocate, whom we have honourably mentioned in some of our previous pages.

His written opinion, under date the 6th of September, 1806, was, like himself, eloquent and masterly. We have a full copy of the original document, but the few following passages from it may suffice in this place—

“Were I, my lord and gentlemen, called upon to express my own individual opinion and feelings, I should perhaps lay claim to the honour of participating in the sentiments and wishes of the enlightened congregation of St. Andrew’s church. But on this subject my individual opinion is a matter of no importance whatever. It is my opinion, as one of the *legal* assessors of the city of Glasgow, that your lordship and the other magistrates require,”—

And he concludes by suggesting that “the Lord Provost and Magistrates should recommend to the gentlemen subscribers, and to the able and learned pastor of that respectable congregation, before proceeding farther” (these are his own words) “to apply for the permission and sanction of the supreme ecclesiastical branch of our happy constitution.”

The matter now came, for the first time, under the notice of the *Presbytery* of Glasgow. Meanwhile the organ (perhaps rather prematurely), was taken into St. Andrew’s church, and did service there at least on one Sunday, greatly to the delight of the entire congregation. But the Presbytery rose up in arms against it. Dr. Ritchie had received no sanction or authority from them to erect it. He soon found that a majority of the Presbytery were banded against him; and, therefore, after a keen contention of several days, he wisely intimated to the Presbytery, as the minutes of the Presbytery bear, of date the 7th of October, 1807, copies of

which we also have in our possession, "that he would not again use an organ in the public worship of God, without the authority of the Church." Whereupon, "the Presbytery (as the said minutes further bear) having deliberated on this cause at great length, and maturely considered the same, a motion was made, and duly seconded, viz., that the Presbytery of Glasgow are of opinion that the use of organs in the public worship of God is contrary to the law of the land, and to the law and constitution of our Established Church ; and, therefore, prohibit it in all the churches and chapels within their bounds."

On the other hand, it was moved and duly seconded, "that in consequence of Dr. Ritchie's judicial declaration, the Presbytery find it unnecessary to proceed further in the case."

The state of votes being marked, first or second motion —we are quoting from the originals—"Dr. Ritchie intimated that he declined voting ; and the roll being called, the first motion was carried by a majority, wherefore the Presbytery ruled and enjoined in terms thereof"—But mark what follows, as may be seen from the Presbytery records—"From which decision, Principal Taylor (of the University of Glasgow) in his own name, and in the name of all adhering to him, dissented and protested, along with the Rev. Dr. Alexander Ranken, (of the Ramshorn) and the Rev. Dr. Stevenson M'Gill, of the Tron church, afterwards Professor of Divinity in the University of Glasgow, with Messrs. Davidson and Jack, and they took instruments in the Clerk's hands accordingly." (*Vide* minutes of the Presbytery of Glasgow, of the year 1807.)

Thus it is seen, from the original and correct details now given, that the Presbytery of Glasgow were very

much divided in opinion about the organ in those days. But we must trace that original organ itself, through a most remarkable phase of its history. In the immediate neighbourhood of St. Andrew's church, there stood, as it still does, the first original Episcopalian chapel in this city, erected in the year 1751, which got the name of "*the Whistling Kirk*," from the following circumstances: Some of the elders of St. Andrew's plainly intimated that if they could not be permitted to sing reverentially with the organ, in their own church, they could at least *whistle* as they pleased, out of it, and many of the good people of Glasgow were of this opinion, and we at this present day are of the number, that whistling was as unexceptionable (if that be the term for it) as the organ itself. Even in rustic life, the poets tell us that

“The honest ploughman leaves his task of day,  
And trudging homewards, whistles by the way.”

Yet a thousand times rather would we hear the melodious and heart-stirring tones of the organ on Sunday than the dumb or the screeching, disjointed, and discordant notes of some congregations, wherein there is little of sweet melody at all. Still we do most heartily admire the fine old Sacred Psalmody of Scotland, when properly led, and harmoniously joined in—such, for example, as the revered tunes of Martyrdom, St. Neot's, St. Mary's, Coleshill, French, Devizes, etc., etc.—tunes, we confess, which mingle with the earliest and best of our associations, whilst they

“Compose the passions and exalt the mind.”

We must, however, proceed to notice the fact, that Dr. Ritchie, thwarted with his organ by the Presbytery of Glasgow, was soon afterwards translated to Edinburgh

and became the Professor of Divinity in that University with great acceptation.

“ We venerate the man whose heart is warm,  
Whose hands are pure, whose doctrine and whose life  
Coincident exhibit lucid proof  
That he is honest in the sacred cause,  
To such we render more than mere respect,  
Whose actions say that they respect themselves.”

And now it is somewhat gratifying to observe that, after all these old contentions in Glasgow about the organ are over, a new and better spirit dawns upon society ; and that the modern Presbytery of Glasgow—the Presbyteries of the present day—have expressly sanctioned the introduction of organs into some of our city churches ; and that St. Andrew’s itself, where Dr. Ritchie presided, has its choice one, with nearly unanimous acclaim. We are mistaken if the Rev. Dr. Runciman, the present respected minister of that church, will not confirm these statements ; and we also confidently appeal to our esteemed friend, the Rev. Dr. Gordon, of the Episcopal Church, in St. Andrew’s Lane, for confirmation of what we have said about that remarkable organ, which still demands a few words of observation from us, worthy of being made known to the citizens of Glasgow, for the sake of the man who first built it with his own glorious hands in this very city, namely, the illustrious James Watt, whose statue in bronze now appears, with others of note, in St. George’s Square, to grace the city, and exalt its fame.

Our departed friend, Mr. Archibald M’Lellan, formerly one of the Magistrates of Glasgow, who though violent in his politics, and sometimes furious in his passions, did much to improve the city in some of its best buildings, and laboured for many a long day, and at great expense

to himself, in sketching out plans for the renovation of our noble and venerable cathedral, which conducted mainly to its present magnificent state of splendour. Mr. M'Lellan, we say being fond of music, as well as pictures, and an excellent judge of both, and knowing well the history of this organ, and, in particular, that it belonged to James Watt, all as we have already stated, secured it for himself by purchase after it had left St. Andrew's, and after it had got back again for sale into the hands of Mr. Steven, the old music dealer in Wilson Street. Mr. M'Lellan paid a large price for it to Mr. Steven, not less we believe than £300 or £400 sterling, and he placed it with glowing pride, as an unexampled trophy of Watt, in his self-contained dwelling-house in Miller Street, formerly occupied by Colonel Graham, a well-known gentleman of this city in the olden time, and that house still stands as one of the finest old-fashioned houses in that famed street, which formerly lodged some of the best families and merchants of Glasgow.

We had the pleasure very often in the days of his worthy father, the old original coach builder in the Gallowgate of Glasgow, to hear Mr. M'Lellan himself playing that organ, and he gave numerous parties of vocal and instrumental music in Miller Street, ever extolling the organ of James Watt, the only organ worth speaking about in Glasgow ; indeed, we question if at that time any thing of the sort was witnessed in any other private dwelling-house in all the city. Between 30 or 40 years ago, as we very well remember, Mr. John Orme, an excellent precentor in the High Church, and a great favourite with the Very Rev. Principal Macfarlan, took it into his head to advertise a concert of vocal and instrumental music (the first of its kind), to be held in the Cathedral.

Mr. Orme applied to Mr. M'Lellan for the use of his "organ," which would give great *eclat*, as he thought, to the projected concert. M'Lellan was perfectly agreeable, indeed charmed with the idea, and the good old Principal himself, whose consent was essential for its introduction into the Cathedral, smiled with much pleasure at the proposal, for he knew all about the history of this wonderful "organ," and the debates it had occasioned in the Presbytery of Glasgow. The Principal also, with his handsome sons and pretty daughters, then alive, graced the concert with his presence, and it was a "great success." Of course the organ, after the concert was over, was soon replaced in Miller Street, where we again heard it hundreds of times over; indeed, the very passengers on the streets were so charmed with it that they paused when they came to, and listened to it from Mr. M'Lellan's house. We have gone into these details about the identity of this singular organ, whether they are interesting to our readers or not, because some most absurd and contradictory statements have been made regarding it by ignorant people in other quarters. And we clinch the whole by asserting, beyond the possibility of contradiction from any respectable quarter, that this self-same organ continued to be so highly prized by Mr. M'Lellan, that on his death-bed he left a written memorandum of its history, substantially as we have here given it, and he signed that memorandum in the presence of the Rev. Dr. Pearson of Strathblane, no later gone than the 11th of September, 1854, and he added these remarkable words:—"I recommend it to my trustees as a work of the great James Watt, for their notice and *preservation*."

Instead, however, of securing "the notice," or of meeting with the "preservation" from the hands of his trus-

tees, as we think it ought to have done, agreeable to his earnest and dying request, above quoted, whereby it might have been at this moment one of the most interesting and invaluable *gems* in the M'Lellan Galleries—it was, we lament to say, amongst with the rubbish of some old furniture, actually sold, or knocked down, by Messrs. Hutcheson and Dixon the auctioneers, and away it went for some paltry £50! We are very sure that one, at least, of Mr. M'Lellan's surviving trustees regret this circumstance now, and we are equally sure that not one of his creditors, if appealed, would have rejected his dying request, involving as it did, a sacred mark of respect to the illustrious dead, or allowed such a remarkable gem of James Watt's to be sacrificed for such a pittance. We called special attention to this long ago, but what is worse, we are here sorry to remark that at a subsequent stage this remarkable instrument might have been reclaimed, but it was ultimately allowed to go away from the city, and purchased almost for the price of an old song; yet it is some satisfaction to observe that it was secured by one of the most liberal-minded *natives* of the city of Glasgow—we hesitate not to name him in this place, viz., Adam Sim, Esq., of Coulter-Mains, in Lanarkshire, and there, in his beautiful retreat of Coulter-Mains, equal in many respects to the Ducal Palace of Hamilton, stands now the “organ” of the illustrious Watt, elegantly fitted up, with a new silver plate upon it to attest its undoubted history; but, we repeat, the valuable instrument itself ought never to have left Glasgow; it should have stood conspicuously in the M'Lellan Galleries; while we venture to say that its present owner sincerely prizes it as one of the greatest gems in his interesting and richly stored mansion. Long life to him! with the expression

of our humble but very earnest hope that he may ultimately be induced to send it back again to the City of Glasgow, under the special care of the Lord Provost and Magistrates, or confide it to the keeping of the principal Professors in the new College of Glasgow, beside the handsome marble statue gifted to them by Watt's son, so that posterity in some place or other may look upon it as one of the real gems of the city,—for where else in any place on this earth can such another “organ” be seen from the hand of such a maker? It surely well demands the feeble notice we have thus taken of it. At all events we have endeavoured to rescue it from oblivion, and to record or hold it up as no ignoble or trifling incident in Glasgow history.

“ Instructive emblem of this mortal state!  
Where scenes so various every hour arise  
In swift succession, which the hand of fate  
Presents, then snatches from our wondering eyes.”

## CHAPTER XLVIII.

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### A GREAT SWINDLING ASSURANCE CO. DEMOLISHED —ITS CAREER IN GLASGOW, &c., &c.

AMONGST many remarkable things, wonderful cases, and astonishing events, which we have handled in our day and generation, and borne no inconsiderable share in most of them, we think the one which we now, in conclusion, beg to lay before our readers, though already known to some of our oldest friends, will not displease the judgment of the new, to whom it is about to be submitted for the first time. We may be excused for blowing our own trumpet a little in the outset about it, by mentioning that it was the most hazardous and important case for the public ever taken up by any single individual in this kingdom; and that certainly is saying a great deal: but we let the sequel show.

Insurances, we may remark, upon life, and insurances against fire, are two important elements in the affairs of the world, especially in modern times.

This is to be a sober chapter of edification and instruction in reality; and if we did not write it, it might never be written at all, because we have the materials for it solely in our own hands.

It is singular to relate that from the year 1706, when the first Insurance office was formed, down to the year 1806—thus giving a lapse of 100 years—only *nine* insurance offices were started, and found sufficient to do the whole business of England, Scotland, and Ireland; yet from 1806 to 1846, they increased most rapidly, for in the latter year no fewer than one hundred and eleven of them were established. In 1820 there were only twenty offices in the United Kingdom. In 1830 their number was exactly doubled; in 1840 they had again doubled; from 1840 to 1845 they increased in the same proportion—and at present their number is *LEGION*.

The amazing success which attended some of these companies induced capitalists to purchase shares in them, as a good and excellent investment.

We have all along been great advocates, in our own humble way, in favour of insurance offices based on just and righteous principles; and in innumerable instances such offices have been of the most blessed and incalculable value to widows and orphans, besides many other dependents in this empire.

In the year 1837, the most astounding, but plausible advertisements appeared in the newspapers of the day respecting the institution of a *new* fire and life assurance office in London, called “*The Independent West Middlesex Fire and Life Insurance Company*,” with a capital of one million sterling, and said, too, to be authorised by special acts of Parliament. The Bank of England itself was advertised as their bankers, and an array of names was published as its directors of the most imposing kind. For example—there was Robert Ferguson, palmed off as Robert Ferguson, Esq. of Raith, one of the richest commoners in Scotland; James Drummond, Esq., palmed off

as the rich and celebrated London banker; H. R. Perkins, Esq., palmed off as the rich and celebrated brewer,—and so on. Persons of the names of William Hole and Williams & Sons, were advertised as secretary and solicitors.

The real truth of the matter is, that this new assurance company was started by three or four notorious scoundrels, or *black-legs*, in London, who had not £50 in their possession, in place of a capital of *one million sterling*. But they calculated on the *gullibility* of the public, and they did not so calculate without reason. They first contrived to open a spacious office in Baker Street, Portman Square, London, with two gaudy livery servants outside; while the clerks and gentlemanly “directors” in the interior had apparently massive gold rings on their fingers, and sparkling diamonds in the front of their shirts, as if they had been persons of first-rate consequence.

Truly the saying is, that it is not all gold that glitters!

These *black-legs* had the cunning to head their advertisement with the words—“Immediate benefits.” They signified that they would do their insurances at a cheaper rate—some 30 per cent.—than other offices; and that they would grant bonds of annuity for all monies lodged with them at from 10 to 15 per cent.! According to their tables, a man of thirty, by paying £100, could obtain £8 yearly, and could insure his life at £1 15s. per cent.—thus making a clear interest of £6 5s. per annum.

The itch of obtaining *cheap* insurances, and securing unusually high interest in the shape of *annuity* bonds, soon attracted the attention of many, and the consequence was that these black-legs of the so-called “*Independent West Middlesex Insurance Co.*” began to do a tremendous stroke of business. They opened handsome premises, not only in London, but in Dublin, Edinburgh, and Glasgow,

and other places throughout the kingdom. They blazed in their advertisements that they had drawn £40,000 of premiums in their first year; and the insidious *puffs* which they contrived to get inserted in the newspapers put them on the pinnacle of being really a most excellent and “Independent” concern, with all its “Immediate Benefits” pertaining to it, and so forth.

We smelt them “from afar” as being a gang of arrant impostors, and we collected evidence about them in London, through the services of three active Bow Street police officers, employed for the purpose, viz.:—George Ruthven, James Drening, and John Jutting, who furnished us with evidence of the fact, that one of these directors had recently been a prisoner in Whitecross Chapel, and that another of them was the discarded servant of a very questionable gentleman. In short, the whole of them were a gang of downright impostors; but so plausible in their appearance that when any person went to Baker Street to bargain about insurance, they were apparently handling great piles of Bank of England notes; but these notes were of the *flash* description, easily enough manufactured. The porter who waited in the entrance hall to usher in any stranger to the interior, was dressed as if he had been the Lord Mayor’s state attender, and if any questions were asked about the stability of the *absent* directors, the mere pronunciation of the names of the great Scottish Commoner—the London Banker—and the London Brewer—which we have already given, were deemed perfectly sufficient. We ascertained, however, pretty distinctly that all these were *fictitious* names, that not one of the gentlemen referred to had anything whatever to do with such an office, directly or indirectly; and, consequently, that the publishing of their names in

connection therewith was neither more nor less than an arrant *fraud*. The fellows, however, were rejoicing in their sleeves at the extraordinary prosperity of their new office. They had actually pocketed at this time, as one of them afterwards confessed, the sum of £90,000 in the shape of "annuities," irrespective of the sums derived from premiums of insurance, so this was obviously a vast field of plunder, almost sufficient to turn the heads of any ordinary men setting up in any new business, with such "Immediate Benefits."

We need not follow them through their agencies in London, Edinburgh, or Dublin—we come to speak of them in Glasgow. They purchased from their ill-gotten gains the office of the old Paisley Bank in Ingram Street, where the great robbery was committed which we have narrated in previous chapters. Their agent here was Mr. Archibald Livingstone, writer, who, we daresay, bitterly laments the circumstance, though it was a lucrative one to him at the time. They fitted it up in first-rate style, with brass rods and mahogany desks, and in dashing letters on the outside the "Independent West Middlesex Assurance Co." appeared, while placards, circulars, and advertisements plenty were issued, announcing their "Immediate Benefits," and extraordinary rates. Business flowed in upon them from Glasgow and its vicinity. They also formed offices in Johnstone, Paisley, and other places; and for a time no insurance office was so popular as this great "Independent West Middlesex Co.," with a capital of one million sterling, and pretending to be guaranteed by Acts of Parliament!

Mr. J. H. Alexander of the Theatre-Royal had his theatre insured with them for thousands. Mr. Patrick Mitchell of the Milton Printfield had his works insured

for thousands; in short, almost everybody was lauding this insurance office for the extraordinary *moderation* of its rates, being thirty per cent lower than all the other offices; and those other offices were losing many of their best customers, taking away their policies to "the cheap shop," as some of them called it, without making any *calculation* about the principle on which these rates were regulated. In that way the wicked at head-quarters were actually flourishing, as the Psalmist hath it—

"Like the green bay tree."

So successful and audacious did they become, that they actually started another insurance office in a different quarter of London, viz., Southwark, which they called the Equitable Loan and Annuity Assurance Office, with the most tempting rates, and "Immediate Benefits," peculiarly adapted for half-pay officers of the army and navy. They actually published the name of his Grace Field-Marshal the Duke of Wellington, as the "Patron" of that office, and we need scarcely inform our intelligent readers that that name attracted the regard of many persons in the State, civilians as well as military.

But while the gang of swindlers, for they were swindlers, cool, calculating *swindlers*, were going on at this rate, pocketing everything they could get for premiums, they took especial care to be very reluctant and tardy in the settlement of any *loss*, and in place of bestowing "Immediate Benefits" on the assured, as their lying advertisements promised to do, they threw every impediment in the way of an honest settlement. This began to create suspicion against them. We confess up to that time we never entertained the least suspicion about them ourselves; on the contrary, we were induced

to effect a policy for a few hundred pounds—it never once entering our heads when we did so, that this insurance office, or any insurance office in existence, was but a nest of downright swindlers. On turning up our policy, however, one day, and looking at it narrowly, and on referring to the specious prospectus attached to it, and going to the Faculty Library and turning up the Acts of Parliament specially referred to in the prospectus and advertisements, we were struck to find these Acts of Parliament so referred to by the swindlers, did not recognise their office at all, but offices wholly different in form and substance. It happened, singularly enough, at that period that two respectable people of the names of Allan and Watson, carrying on business under the firm of Messrs. Allan and Watson, in the town of Johnstone, near Paisley, had their mills insured for £1,500 in the office of thts Independent West Middlesex Assurance Co. Their premises were burned to the ground, and a total loss ensued ; but instead of meeting it with alacrity, as any respectable office would do, they shamefully evaded it by calling for valuations of one kind or another; and at last when the value of the property was incontestibly established greatly beyond the £1,500 insured, the swindlers had the cool audacity to turn round and allege that they had received positive information, in the shape of an anonymous letter, that the premises were wilfully set on fire by Messrs. Allan and Watson themselves. This, of course, provoked these gentlemen ; and hearing of their case, we began right earnestly to investigate into the character of the chief establishment in London, with its boasted capital of one million sterling. Hence, through the agency which we employed for the purpose in London, and through the means of the active and intelligent

Bow Street police officers before-named, we soon arrived at a complete knowledge of the whole gang, including some of their extraordinary actings and intromissions, unparalleled in the history of swindling in this kingdom.

On Saturday the 2d of March, 1839, we broke out into an open attack in the *Glasgow Gazette*, denouncing them in the plainest language as a confederated band of swindlers, plundering the public to an enormous extent, and cautioning the public to have nothing more to do with them or their "*Independent West Middlesex Assurance Co.*" We characterised it by the name of the "*Diddlesex Assurance Co.*," and by that name it afterwards went.

Our first *exposé* astonished the public. It took them completely by surprise. Hundreds of people came and wrote to us from all parts of the kingdom; and Mr. Livingstone, their agent in Glasgow, in a fit of virtuous indignation, called upon us and threatened us with the utmost vengeance of the law for defaming his most respectable clients, and ruining their flourishing and most extensive business! We were startled with his own assurance and seeming confidence, but delighted with his statement, that he had resolved immediately to proceed to London to satisfy himself in regard to these directors with whom he was so seriously implicated. On his return, in the course of the following week, he was pleased to wait upon us, and to state that we had really involved ourselves in a most serious scrape, because he had seen Sir John Rae Reid, Bart., M.P. for Dover the Deputy-Governor of the Bank of England, who had given him the very highest character of the respectability and undoubted worth of every one of the directors whom we had assailed. He therefore required us to withdraw the article, and to

make an immediate apology, satisfactory to himself and laudatory of the office, and dispelling the fears of its numerous policy-holders, alarmed now by our special strictures. This statement about Sir John Rae Reid, the Deputy-Governor of the Bank of England, as communicated to us by Mr. Livingstone in Glasgow in the way we have just mentioned, created our astonishment, because it was at direct variance with all our previous most anxious inquiries as vouchsafed to us, we conceived, through the surest and most trustworthy sources. We told him that we would take time to deliberate still further on the subject, but he insisted on an immediate apology, and really if we thought we had been misled, that apology in the most ample terms would readily have been given. We questioned him if he was quite sure of seeing Sir John Rae Reid *in propria persona*? He answered in the affirmative. We *doubted* if the swindlers in London had not palmed off somebody else upon him in London, instead of that distinguished baronet. "Oh, no!" he said, "I saw Sir John himself in one of the parlours of the Bank of England, with Mr. Hole the secretary, and Mr. Williams the attorney of the company, who were with him, so that there could be no mistake whatever." By that afternoon's post we boldly despatched a letter to Sir John Rae Reid, respectfully calling his attention to the attack we had made against the swindlers in the *Gazette*, of which we sent him a copy, and narrating this reported interview between him and Mr. Livingstone, precisely as the latter had represented to us out of his own mouth that morning; and we begged for our own guidance and the public interest, that Sir John would be pleased to inform us how the facts really stood. In direct course of post he wrote us, expressing his amazement at any such statement being

made about him; and he signified that we had performed a most acceptable service to the public by exposing such a gang.

This, of course, animated us with fresh zeal against the gang; and so keeping up fresh communication with the well-informed London police officers, and others, we persevered in writing a series of the most pointed articles against them, from the additional irrefragable evidence with which we had been furnished.

Their office in London was stormed, and their office in Glasgow was nearly blown up, in consequence of a letter which we had the honour to receive from the Duke of Wellington, and which we shall immediately lay before our readers. We must first remind them that the gang had advertised the Duke's exalted name as "patron" of another of their fraudulent schemes. We ventured to approach his grace on the subject by writing him a letter, conveying to him some of the foregoing details, and the following is the holograph letter of his grace, which we now present to our readers as no small trophy in our career—

"LONDON, April 20, 1839.

"The Duke of Wellington presents his compliments to Mr. Mackenzie.

"He does not at all doubt but a gang of swindlers have advertised at Glasgow, the duke's name as the patron of the London Equitable Loan Company and General Deposit Bank, Messrs. Williams and Son, Solicitors, and R. D. Gilbert, Esq., Secretary.

"The same, or another gang of swindlers played the same trick in the borough of Southwark. The latter, moreover, announced that they banked with the Bank of England.

"Mr. Mackenzie has the duke's authority to announce to the public at Glasgow, that the duke is not the patron of any such association under the title assumed, or any other, and he has not authorised the publication of his name as patron.

"The mode in which the gang can be punished is for any person who has had dealings with them, to prosecute them as conspirators to commit a fraud, and the duke will take any trouble that it can reasonably be expected that he should take, in order to procure testimony to the court, that the duke is not the patron, and that he never consented that his name should be advertised as the patron of this supposed company.

"The company which heretofore made use of the duke's name, as above stated, in the borough of Southwark, was exposed before the magistrates, and obliged to shut up their office—fortunately for them—before anybody defrauded by them was prepared to prosecute.

"To Peter Mackenzie, Esq., Glasgow."

This letter, with the well-directed blows we continued to aim at the swindlers, had in some instances a most laughable, but in others a most serious and shocking effect. We shall only allude to a few out of the many we could give. For example, Mr. Alexander, of the Theatre-Royal, stormed and raged at the premiums he had paid, which he said was "butter down the black dog's haws," but he thanked his stars that the scoundrels could no longer *diddle* him or his theatre. Old Mr. Walter Moir, the respected Sheriff-Substitute then of Glasgow, was nearly allured to his destruction by the gang. One might have thought that he, from his position, would have been exceedingly cautious, but in truth nobody doubted *any* insurance office up to that period ; and so, tempted by their high rates of annuity, Mr. Sheriff Moir had actually arranged to give them the *whole* of his hard earned ready cash, amounting to several hundreds of pounds, on getting their bond of annuity to pay him some fifteen per cent per annum during his life. We will never forget his appearance when he came to us and told us that we "had opened his eyes, and saved him in the nick of time," as he had arranged to give them his money

the following day at two o'clock. Ever afterwards, we had a grateful shake of his hand, wherever we met him ; and he afterwards told the story himself with some glee. There were others, a great many others, nearly in the same predicament as Sheriff Moir ; but we lament to add that when the vast and extensive fraud was discovered, some shrieked with horror when they found that they were utterly and cruelly ruined by those scoundrels, and not a few of them committed suicide !

An eminent public writer in London, viz., John Francis, Esq., author of "the History of the Bank of England : its Times and Traditions, &c.," and who also published a most interesting work, giving the chronicles and character of the Stock Exchange, was pleased, in the course of his work, to notice our exertions in this business. Not one of the other newspapers devoted a single page to it. The admirable journal of Messrs. Chambers of Edinburgh was, we think, the only exception. Indeed, some of the other papers, instead of making common cause with us, plainly insinuated that we had grossly libelled this most respectable insurance company, and that serious actions of damages would soon be executed against us, in the Court of Session. The wish was perhaps father to the thought !

Let us now see what Mr. Francis, whose valuable book is now upon our table, says to this :

"The attention of the respectable established assurance offices had long been drawn to those transactions, and it was known that a great crash must one day come; but they had not sufficient courage to declare the iniquity. It was left therefore to individual energy to expose their doings, and to individual resources to support the consequences. In March, 1839, Mr. Peter Mackenzie, editor and proprietor of the *Glasgow Gazette*, having investigated the question, and made careful inquiries, which satisfied him of the nature of the company, commenced a series of articles in that paper, warning the public

against transacting business with them. The task was difficult and dangerous, but it was boldly and skilfully supported. The following extracts from the journal of Mr. Mackenzie will show (says Mr. Francis) the earnest spirit in which he grappled with his task"—

"In a word, we raise our voice and warn the public to beware of this so-called Independent West Middlesex Insurance Company." "It is a false and fictitious company." "No better than a parcel of tricksters in London, disowned, repudiated, and condemned by every respectable person." "Will the mere statement of a parcel of swindlers in their own favour entitle them to public favour, or secure public confidence?" "Nor shall we rest contented till we chase them out of every town and city in Her Majesty's dominions, or till they are seized by the strong arm of justice." "We defy the confederated band of swindlers, from the highest to the lowest."

"The wild fury of Mr. Mackenzie's opponents," says Mr. Francis, in his otherwise most interesting book, "may be conceived. They declared him to be a false and malicious calumniator. They published counter-statements, assumed the aspect of injured and innocent men, and instituted separate actions against him for £12,000 of damages."

We are now coming to an interesting part of our own statement. It is very true, as Mr. Francis states, that they instituted actions of damages against us for £12,000. We defeated them in those actions on a preliminary point, before the late Lord Moncrieff, as Lord Ordinary in the Court of Session, but they brought a series of five or six other actions, seeking damages to a larger amount. Nor was this all. Mr. Livingstone himself, strange to say, brought one against us, seeking damages at his own instance, for £3,000; while Mr. John Mabon, the other agent, at that time, of these swindlers, in Edinburgh, had another likewise pointed against us for £3,000. So that there were raging actions of damages of one kind or another against us in the Court of Session,

sufficient to perplex, if not appal any man. We faced them manfully, upbraiding them in the court as a parcel of the most audacious swindlers, whereas, in almost all the newspapers throughout the kingdom, their advertisements were *continued*, and puffs awarded to them, as if they had been the best insurance office in the world !

Messrs. Allan & Watson of Johnstone, had raised an action against them in the Court of Session, for the £1,500 under their policy of insurance, and had arrested about £8,000 of their swindling premiums, snugly deposited, as they thought, in the Western Bank.

Mr. George Williams, the so-called London solicitor, and *partner* with the gang, came down from London to Glasgow, expecting to lay his hands on that money, and carry it to their head-quarters in London, for division doubtless amongst themselves; but great was his astonishment when he learned that one arrestment after another was laid, and very properly too, on that money; but greater was his astonishment when sitting in the Buck's Head Hotel, finishing his plum-pudding, and swallowing his champagne, he was seized as a *prisoner*, under a warrant *meditatione fugæ*, taken out against him by an irritated and ruined bond annuity holder. This solicitor said he could not comprehend how they could both secure the purse and the person at the same time, by the law of Scotland, but when he was taken to Mr. M'Hardy's room, in the Sheriff-Clerk's Chambers, they soon let him know how in Scotland this could be effectually done. On finding caution through some of Mr. Livingstone's friends that he would appear and answer at the next diet of court, he was liberated, and he promised to return; but we told Mr. M'Hardy that he would never show his face again in the city of Glasgow, and neither he did.

Pell-mell went the actions in Edinburgh. The criers of the court have often bawled out our names in that place, with our attending agents and counsel. It happened that in some of these cases Mr. John Hope, Dean of Faculty, and afterwards Lord-Justice Clerk, was our senior counsel, and Mr. Alexander M'Neil, and Mr. Earl Monteith—both originally from Glasgow, where we knew them well—were our junior counsel; but we were much struck and greatly surprised when we saw Mr. John Hope pleading away for us with all the eloquence in his power, but when we went into another division of the court, there he stood pleading *against* us, in favour of another section of the same swindlers, and literally attempting to knock us down, as if we had been the greatest libellers ever brought to the bar of the Court of Session! We confess we could not understand this, or reconcile it with any sense of propriety. What! were we to entrust our defence to the same advocate that led for the prosecution in another wing of the court! We were told that this was sometimes the case, but we bristled up against it, greatly to the surprise and afterwards the amusement of Mr. Hope himself. “Come, come, Mr. Hope,” addressing him with all civility, “this won’t do, I shan’t stand it; either stick to my case out and out, or leave it, and go to the swindlers—make your election at once Mr. Dean.” “Well,” he said, “this is rather a marvellous surprise, quite new to me, but, since you seem to be so peremptory, I shall stick to your side and abandon the other, for to tell you the truth, Mr. Mackenzie, I think you have the *best* side of the question.” With that we were content, and he fought for us most splendidly at last, and in the extraordinary way we shall now proceed to show.

Those great swindlers had not only referred (spuriously)

to some old Acts of Parliament in their favour, but they pretended to have a *bona fide* contract of co-partnery, with the names of their shareholders attached to it for regulating their business. We doubted whether they had such contract in reality, and intimated to our excellent and most respectable agent in Edinburgh, Alexander Hamilton, Esq., W.S., who still survives, and has carried us triumphantly through many cases, to instruct the Dean, and move the First Division of the Court to order the production of that contract, because it was said in their summons that we had libelled them both in their individual and *corporate* capacity. This motion was energetically resisted by the pursuers, the Middlesex swindlers. They had evidently no idea of it; but this very resistance impelled the fire of the Dean of Faculty against them, and he now beleaguered them right and left, from Hole to Williams, and all about them, in language infinitely stronger than any we had previously employed in our own favourite paper. The court unanimously ordained the pursuers to produce their contract within twenty-one days. Great was the consternation of the crew at this order. In truth they had no contract. We kept the police officers in London constantly advised of what was going on, and they in return watched the premises of the swindlers, and knew almost *hocus pocus* every piece of business they transacted, as well as all the movements of the schemers implicated in these nefarious transactions. We soon learned through the Bow Street police officers that the gang in Baker Street had got in sheets of parchment to their premises, with law scribes, particularly one of the name of Joseph Shaw Cathcart, intimately connected with some part of Scotland, and that he was subscribing names for them on

those sheets of parchment as rapidly as his hands could do it, and that according to the law of England there was set fine wax and seals to the name of every subscriber, or rather to every *fictitious* subscription, for which Cathcart was handsomely paid. The business with him being over, he fell into some scrape, and in the Tower of London he enlisted as a soldier in the 26th Cameronian Regiment, which regiment soon afterwards received the route for India, and from thence to China, to engage in the first Chinese war, under Sir Henry Pottinger, who at a subsequent date received the freedom of the City of Glasgow, when Mr. James Lumsden was Lord Provost.

The London swindlers now imagined that they had nicely *concocted* their contract to impose on the Lords of Council and Session, and to turn the tables against ourselves for daring to ask it, and so they sent it down with all confidence to Edinburgh. Our acute agent, when he first saw it, was quite staggered by it, and he wrote us, that he thought we had made "rather an *unfortunate motion*." We told him in return, to be of good cheer, that we knew all about it, and would impound it as a false and villainous document. This was another bold and daring feature in our case. The Dean for a short time was perfectly bewildered about it. He looked at the deed through his glasses over and over again, but he could discern nothing wrong with it, nor could anybody else not initiated with the circumstances. We confidently relied on the Bow Street police officers, who had no interest in the case one way or other, except to expiate the *truth* in a great public trial then impending over our heads, and involving the guilt or innocence of others.

Strange moments of cogitation these were between our own counsel and ourselves. The Dean was for *admitting*

the deeds, quietly and without remonstrance, that they just should glide into the process without one word raised against them. But we *protested* against this with all the confidence, say rather the courage of an upright party, who knew all the steps of his own case, and perfectly sensible of the consequences attending it.

With the peril of this step duly weighed in our own minds, we counselled the Dean to impeach the deed, to stigmatize it as a false and fraudulent deed, and if any of the pursuers would dare to come to Scotland to vindicate it as a genuine honest deed, that they deserved to be laid hold of by the heels at the instance of the Lord Advocate of Scotland.

On hearing the above resolution the gang of swindlers speedily broke up in London. They shut up their spacious offices and fled to the continent. Sir Peter Laurie, one of the Aldermen of London (a Scotchman), to whom we had communicated all the information we were possessed of about these swindlers, denounced them in the Mansion House. The whole nation was in alarm about their policies of insurance in other offices. Every policy in short, was rigidly examined. Mr. Francis describes it thus—"The distress which pervaded the middle and lower classes of society was great. Applications to magistrates were frequent. Aged men who had invested their all went to the poorhouse. Servants who had bought annuities with the savings of a life were obliged to commence anew. Parents who imagined they had provided for their children were broken-hearted. Day by day brought some new case, and day by day evinced the importance of being contented with a fair and legitimate per centage."

Not a few half-pay officers in Jersey and the Isle of Man committed suicide when they discovered that they

had been utterly and cruelly swindled out of their hard-earned campaign money, or the entire price of their valued commissions, which they had been induced to sell for worthless bonds of annuity, granted to them by these swindlers, not worth the flimsy paper on which they had been written.

Mr Francis goes on to observe—"There is no knowing to what extent the evil might have reached, but for the boldness and intrepid conduct of Mr. Peter Mackenzie, for the longer such an association exists, the more numerous are its votaries, and therefore to the above gentleman the thanks of the entire community are due, for performing, at a personal sacrifice of £900, a great public service." (*Vide Francis on the London Exchange*, Willoughby & Co., London, 1849.)

We might be contented with closing this article with these complimentary words from such an eminent writer, whose book has been lauded by every one of the leading journals of London.

But an extraordinary course of events still remains for us to describe, and which from our further duties, disagreeable as these may be to others, we can scarcely avoid noticing. The London swindlers, as we have stated, *fled* or absconded from London, and went to the continent. We had the satisfaction of obtaining decree of *absolviter, quoad* them, with expenses in our favour, not one farthing of which we were able to recover from them, by reason of their *absconding*. But, strange to say, notwithstanding this, the Glasgow agent, Mr. Livingstone, and the Edinburgh agent of these worthies, viz., Mr. Mabon, persisted in carrying on their individual actions of damages against us, boldly demanding £3,000 in each action, besides £500 of expenses—a large sum

certainly to put upon the head of any single writer ; and larger we think than any that had ever been sought from any printer or publisher that had ever before existed in this part of the United Kingdom. We soon, however, prostrated Mr. Mabon by the weight of our blows. He fell, and cried *peccavi*. We got his summons dismissed with expenses, and a decree against him for £285 of *taxed* expenses, which will give our readers some idea of the expensive nature of the contest we had waged with him. We charged him on a writ of Horning for payment of these expenses, and we were about to enforce it by a caption, when he humbly pled for *mercy*, acknowledging that he was utterly ruined by these swindlers, both in purse and person ; and when a man, almost under any circumstances, acknowledges his error, makes an apology, entreats mercy, we have rarely, if ever, denied his appeal, or turned from him with a hard and stony heart. Therefore, with all his faults, we granted him his discharge for a payment of £40, twelve months after date (12th March, 1844) ; so that we sacrificed on his account upwards of £200 sterling on this one battle in the public service, but at that time we didn't grudge the money ; it occasioned us not the thought of so many farthings ; we enjoyed the satisfaction of having done a good deed, and a generous action even towards an humbled enemy.

Not so Mr. Archibald Livingstone. He persisted in his action with the loftiest airs—went about presiding as chairman at teetotallers' meetings or temperance leagues and bible societies, etc., etc. All very excellent things we admit, but really when we heard of him pretty frequently getting in his golden chains, rapturous rounds of applause in the City Hall and other places, we felt our

dander rising, as we thought of the Diddlesex affair, with all the circumstances attending it.

He may *feel*, but it is impossible we can do him wrong in his *public actions*; and this chapter, so remarkable in other things, need not have been written at all if we did not pointedly come out with facts and figures, as a warning to all dupes of insurance swindlers.

We have still a remarkable story here to tell. There can be no doubt of the fact that he went to London oftener than once, and had interviews with the swindlers, nor is there the least doubt of the fact that he gave them a character, which we established conclusively enough to be utterly unwarrantable. Yet this is not the worst part of the business. When the London swindlers learned that the Supreme Court of Scotland had ordered them to produce their vaunted contract, if they had any such in reality to produce, they, in order to impose upon the court and the public, set to work and forged and fabricated a false or fictitious contract, with spurious names attached thereto. They procured a person in their employment in London, of the name of Joseph Shaw Cathcart, who wrote a good hand, and the London swindlers paid him so much money for any good flourishing signatures he appended to the fraudulent deed. He himself was tempted—as we perceive from a copy of the contract, now upon our table—to put down his own name for twenty-five shares of the value of £50 each, amounting to £1250 sterling, although, he had not at that moment twenty pence in the world! He confessed all this to the Bow Street police officers, who had their eyes fixed upon him.

Joseph Shaw Cathcart, the parchment “Diddlesex Assurance” writer, we are now about to describe in the most singular manner, was raised to the rank of *corporal*

in the 26th Cameronians, in their depot at Woolwich, previous to embarking for China.

From the confessions he had voluntarily made to the Bow Street officers and others about the great fraud, he became, of course, a most vital and important witness for us in these impending judicial proceedings before the courts in Scotland. But how were we to secure him when thus away on foreign service? The swindlers were right glad that he had enlisted, and gone away, as they hoped and believed, for ever, and that he could no longer *peach* upon them in any shape or form in this country.

We were put upon our mettle with that soldier, but we secured him in the most singular but effectual way.

Mr. James Oswald was at that time Member of Parliament for this city, in London. We hastened thither and told him all about it. Indeed, he was previously well-informed about it, and took a deep interest in our favour concerning it, which he often expressed, both verbally and in writing. So, at our suggestion, he cheerfully undertook the task to go to the Horse Guards, and seek an interview with Lord Hill, then General Commanding in Chief of the British army. Lord Hill at once granted him the interview, and listened with the greatest interest to the whole particulars of the case, and especially to that part of it which related to the fraudulent use of the name of the Duke of Wellington; and this is the fact: Lord Hill, the General Commanding in Chief forthwith despatched one of his aides-de-camp to Woolwich barracks, with special orders to detain that soldier, and keep him from going away with the regiment to India, and keep him, too, in secure military arrest in Chatham or Woolwich barracks, so long as we required him for a witness in Scotland. Of course, all this was done privately and

confidentially on our part at the time. The *enemy* had no right to be apprised of our movements, nor to learn from ourselves in any way, either the line of our attack, or the mode of our defence, till we drew up in open battle in the public courts.

Meanwhile, the case at Mr. Archibald Livingstone's instance against us was reeling on, sometimes with fierce skirmishes, or passages at arms, between the counsel on both sides in the inner as well as the outer house of the Court of Session. Many a tramp had we to Edinburgh about it, but the soldier being now fairly under our command, inspired us with more courage than ever. On the other hand, Mr. Livingstone reckoning without his host, and not dreaming of that soldier at all, drew up his issues against us, and crowded crouzely. He little knew what was in store for him, from the mouth-piece of the soldier, who, with others, would shake and rattle him and his clients to pieces, like the swift charge of the most pointed artillery. We turned his flank—challenged him in the right centre, and defied him to battle on his own strategy. We offered no quibbling opposition of any kind to his issues; and the court subscribed them as the final issues for trial. The day of trial was fixed before the Lord President and a jury in Edinburgh. Who that has had a jury trial can feel unconcerned about it? Here was one scheduling us for £3,000 of damages, and involving points of great public importance, and of no small interest to every insurance office in the kingdom.

We had previously communicated with Sir Peter Laurie, Lord Mayor of London, on the subject, and from his chair in the Mansion House, he again read our first exposé, and also denounced the gang; and we had the special authority of Mr. Francis, of the Bank of England,

for saying that although they did business with that bank as any one else might do, in the shape of drawing or lodging money, yet it was a piece of the greatest audacity and deception for them to hold out, in the manner they did in their flash circulars, that the Bank of England was *their* bankers, or recognised their pretensions in any shape. On the contrary, Mr. Francis did not scruple to characterise them as "the greatest swindlers that ever existed in London;" and well he might, for they unblushingly published in some of their advertisements, that they were drawing upwards of £40,000 sterling per annum, for "premiums of insurance alone," not speaking of the *grub* they got for "annuities;" and taking them from their own statement, they pocketed one way or another, at least £250,000!

At great trouble and expense, we despatched one of our Glasgow agents, viz.: the late Mr. David Murray, writer, to London, to precognosce and examine all our London witnesses, including Sir John Rae Reid, and Cathcart the soldier, not forgetting the Bow Street police officers, and some fifteen or twenty other personages in London, who could give the most strong and pointed testimony. Mr. Murray arranged to subpoena every one of them to come to Edinburgh to attend the trial; and he himself returned to Glasgow, and from thence we went directly with him to Edinburgh, to consult with our able and most excellent agent, viz.; Mr. Alexander Hamilton, W. S., and finally we held a special consultation with our learned counsel, Mr. John Hope, Dean of Faculty, afterwards Lord Justice Clerk, and with his juniors in the cause.

Mr. Hope, the Dean, was perfectly delighted with Mr. Murray's reported precognitions from London; but he

was particularly delighted with the *soldier's* precognition, and at the idea that he would come from Woolwich Barracks, where he had been quietly kept for nearly two years, and appear in court, clad in his regimentals of the 26th Regiment, with his side arms, and impound the fabricated contract of copartnery with his own fingers, &c., &c. Mr. Hope, the Dean, actually rubbed his hands in ecstasy with this project, and declared that it would have a most stunning and marvellous effect upon the court, and would thrill through Scotland in this wise, that a *soldier* was produced to explode the agency of the Independent West Middlesex Assurance Co., and to tell of their infernal machinations in London, to delude and swindle the public in the three kingdoms; for, as already stated, they had opened up offices not only in England, but in Ireland and Scotland.

The Dean entreated that the agents would keep this a profound secret to themselves up till the day of trial. But somehow Mr. Murray had been invited to a dinner party in the house of Mr. Andrew Dunn, writer to the Signet in Edinburgh, and becoming joyous of his case, he blabbed out the secret of the soldier coming to Edinburgh to attend this trial! Next day the Parliament House of Edinburgh, in some corners of it at least, rang with ecstasy at the anticipated marvellous scene, to come off during the ensuing week.

How it was we really cannot tell, but this we know, that on the very eve of the trial, for which we were thus prepared, and our counsel primed and loaded, and our witnesses on their way to Edinburgh, Mr. Archibald Livingstone deemed it prudent to lodge a minute in process, intimating that he now *abandoned* his action

against us, and consented that we should obtain decree of absolvitor, *quoad* him with expenses !

That we may not misrepresent Mr. Livingstone or his agency in any way, we beg leave to give the following—his own Issue—which he took to the Jury against us. After quoting nearly the whole of our published articles against the swindlers, it concludes thus—

“Whether the whole or any part of the said articles are of, and concerning the pursuer, and mean to hold out and represent the pursuer as having been knowingly or wilfully associated with a gang of swindlers, and to have aided and abetted them in deceiving and cheating the public, and in having impetrated money from unsuspecting parties, under the most false and fraudulent representations, and whether the whole or any part of the said words and sentences are of and concerning the pursuer, and in so far as regards him, are *false* and calumnious, and to the loss, injury, and damage of the pursuer. Damages laid at £3,000.—*Vide Issues in the Jury Court, Livingstone against Mackenzie, &c.*”

On the other hand, our Issues in *justification*, were that that the whole of the said articles were substantially true ; and in particular we specially condescended on the names and designations of the parties, the places, days and dates, facts and figures, for proving them to the satisfaction of the court and jury. (*Vide Issues in the aforesaid cause.*) But, as already stated, the pursuer—Mr. Livingstone—almost at the eleventh hour, abandoned his action, and consented to a decree of absolvitor in our favour, with expenses. This of course settled his own process, and smothered the jury trial itself, and all the exciting scenes expected therefrom, while it also significantly enough attested the truth of every syllable we had written on the subject. We refer to these proceedings now for public reasons, worthy, we think, of being known. Mr. Livingstone paid, with some reluctance we may admit, a good

many hundreds of pounds of taxed expenses, more a great deal than Mabon did, but at the same time, we lost not a few hundreds of pounds on account of our London witnesses and other things; the strict rule of law being, that expenses to witnesses should not be allowed who were not examined at the trial itself.

Be that as it may, we are now done with Mr. Livingstone himself in this trial, and, in one sense, we are sorry that we have been obliged to notice him at all. We bear him not one particle of animosity in these proceedings, or if we did so at one time, they have vanished, we assure him, from our breast long ago; but we cannot conclude these Reminiscences without lifting the veil from a most important public feature in this case, for if we did not do so now, the evidence of it would have died with ourselves.

So long ago as the 6th of June, 1839, we had the honour to receive the following holograph note from the late Sir James Gibson Craig, Bart., father of the present Right Honourable Lord Clerk Registrar of Scotland :—

“Sir James Gibson Craig begs that the whole facts regarding the West Middlesex Insurance Company may be communicated to the Honourable Fox Maule, Home Office, London, informing him that this is done at Sir James’ request.

“It will be advisable not to take notice of this publicly till there be time to inquire into the subject at the Home Office.

“Riccarton, 6th June, 1839.”

Accordingly, we did put ourselves in communication with Mr. Fox Maule, now the Earl of Dalhousie, who was then the Secretary of State, under Lord John, now Earl Russell, who held the seals of the office of the Home Department, and an excellent Minister for that office he was.

We pointed out the vast mischief those great swind-

lers in London had occasioned, leading to the ruin of many innocent people, and to the destruction by suicide of several poor, unfortunate, half-pay officers, besides alarming the public at large, and leading them to *mistrust* the best and most upright of insurance offices, so advantageous not merely to private families, and family contracts, or other domestic arrangements, but to the commercial interests of the empire at large.

To our chagrin and deep mortification, we confess, we received the following official reply—

“Whitehall, July 1st; 1839.

“Sir,

“I have to acknowledge the receipt of your letter of the 28th ult., and to inform you that I have referred the subject to which it relates to the *President of the Board of Trade* (the Right Honourable Poulett Thompson), who is of opinion that the Government cannot interfere in the matter.

“I am, Sir,

“Your obedient servant,

(Signed), F. MAULE.

“To Peter Mackenzie, Esq.,  
Gazette Office, Glasgow.”

Any man of weaker nerves, might have considered himself *crushed* by that letter, but we went on boldly denouncing the swindlers, facing and defying them in all their multifarious actions of damages against us. And at length, when we overthrew them by unswerving perseverance, aided by the weapons of *truth*, but at an expense of not less than £1300 sterling to ourselves, we again approached the Home Office, and knocked loudly but respectfully at its doors.

The following letter came to us from the Honourable Mr. Fox Maule (now the Earl of Dalhousie), which has never seen the light till now—

"Whitehall, 18th March, 1841.

"Sir,

"I regret that the great pressure of my public duties during the last few days has prevented my answering your letter of the 4th inst. so promptly as I could have wished.

"I have read attentively your account of the part you took in exposing the so-called Independent West Middlesex Assurance Company, and I entirely concur with you as to the atrocious and fraudulent conduct of the persons concerned in this scheme, though I agree with the President of the Board of Trade, who has well considered the case, that there do not appear sufficient grounds to institute or sustain a *criminal* charge, and I fear that it will not be easy to restrain such companies, if the public will not look into the nature of their establishments before entrusting their money to them.

"The zeal and industry which you have displayed in exposing the transactions of these swindlers deserve the greatest credit; and I regret very much the trouble and expense to which your exertions have exposed you. I am sorry to say, however, that I cannot see how these exertions are to be remunerated by the Government.

"Seeing the mischief which this company has been able to commit, and that the public, when tempted by large profits, have not the sense or the prudence to consider the risks which they run, it may be that the Government—difficult as the question is—will endeavour to find some protection for those whom such schemes are likely to entrap. But in any measure which may be adopted, or in whatever way the Government may think proper to interfere, I do not, I regret to say, see how it is possible they can take into account the expenses to which you have been put, though we must all admit the ability, integrity, and perseverance with which you have successfully combatted this body of swindlers.

"I remain, Sir,

"Your obedient servant,

(Signed), F. MAULE.

"To Peter Mackenzie, Esq., Glasgow."

These are compliments, certainly, but a more substantial proof of them came to us from another quarter, which, in order to make this chapter complete, we must be excused for referring to. At the annual meeting of the

Scottish Widows' Fund, and Life Assurance Society, held in Edinburgh, on the 2nd of March, 1841,—Lord Moncrieff, one of the judges of the Supreme Court, presided; and amongst other gentlemen who spoke at the meeting were Mr. Shank More, Advocate, Professor of Law in the University of Edinburgh ; Mr. Charles Neaves, Advocate, now Lord Neaves; the Very Rev. Dr. Duncan M'Farlan, of Glasgow College; and the late Sir James Gibson Craig, Bart., who introduced us first, as we have shown, to the Home Office, by his original letter already quoted. The following report of the proceedings have, *inter alia*, been reported in the *North British Advertiser* of 13th March, 1841—

Sir James Gibson Craig, said—"I have to submit a motion, which I hope will be approved of. Mr. Neaves has already alluded to the swindling transactions of insurance and annuity companies, that have recently been discovered. Offices have been established for no other purpose but to swindle ; and some of them have lately been broken up, where it was proved that they carried on a wholesale system of fraud. What has led chiefly to this, is, that Mr. Peter Mackenzie of Glasgow, took the matter up in his newspaper, and denounced the Independent West Middlesex Society, as got up for no other purpose than to plunder all and sundry. The company has in consequence been broken up, and not a farthing has been received by those who unfortunately dealt with them. There are other companies which, though not got up for purposes of swindling, are yet grounded on principles of gross ignorance, giving annuities which their funds cannot afford ; and some of them which promised £58 a year, are already reduced to £14 and are getting lower. It is necessary to guard not only against swindling, but against ignorance. The newspaper I have spoken of—the Glasgow Reformer's Gazette—has done incalculable service to the community, and to every fair insurance office.

The Independent West Middlesex Company brought seven or eight actions against that newspaper, and if they had been men of less firm minds, they might have been compelled to acknowledge that the charges they had made were unfounded ; and thus the swindling

would have triumphed ; but they manfully and boldly stood their ground. They have been put to an expense at least of £700 or £800, and I think we are bound to contribute to the expenses which they incurred, for our own good and for the public.

The chairman (Lord Moncrieff) said—"I cannot well say much from my position on this question, but undoubtedly it consists with my knowledge (his Lordship was Judge-Ordinary in some of the actions), that these actions were brought, and that Mr. Mackenzie, the defender, did manfully disclose the whole affair. I own I shall be glad if the Government or the Legislature would take up the matter, and thoroughly investigate the state of insurance. And no company that is established on solid principles, and is conducted with a fair and safe management, can have the smallest apprehension from such an inquiry."—*Vide North British Advertiser.*

The directors of that office—none better in Scotland—handsomely subscribed fifty guineas towards our expenses, and if their example had been followed by others, we should have been kept skaithless, but only some eight or ten of the insurance offices subscribed, in sums varying from ten to twenty guineas; amongst these we are proud to name the London Royal Exchange, the County and Provident Life Assurance Office, the English and Scottish Law Assurance Office, the North British, the United Kingdom, the Scottish Amicable, the Scottish Union, the Aberdeen (now the Scottish Provincial), and last, though not least, the City of Glasgow Insurance Office. The whole subscriptions, however, from these offices did not exceed £250, so that we became sufferers, under this head alone, to the extent of not less than £1,300 sterling of *costs* out of pocket—not speaking for an instant of the toil and trouble, the mental and bodily drudgery we underwent through the whole of that important and exciting business, and which we simply refer to now, in order to satisfy our readers, as we hope we have done to their satisfaction, that the allusions we had made in one

of the earliest numbers of these Reminiscences, about the battles we had fought, and the sacrifices we had made, in regard to insurance matters so important to the public, irrespective of many *other* trials and battles which we encountered, pretty victoriously too, in the public service, entailed upon us positive burdens of one kind or another, greater by far than any other public writer in Scotland ever experienced; for, we may well ask where is the one, living or dead, that fought so many, not from private *pique* or unworthy motives, but from public duty and for public good, which others, pocketing large emoluments, were either too timid or afraid to take up as they should have done? Hence it was that scarcely any of our then contemporaries, took the least notice of our exertions in those public matters, or encouraged us by so much as one kindly word, but what is worse, one or two of them actually took up the cause of the insurance swindlers before we drove them to extremities, and continued to *puff* their well-paid advertisements, as if they deserved the unabated confidence of the entire community! Nay, more than one of them chuckled at the idea that we would be cast in heavy damages and expenses. The wish was perhaps ardently enough desired, for we must aver that the press, notwithstanding, on the whole, of its high estate is sometimes actuated by the most jealous, envious, and spiteful conduct towards its neighbours. There are, we acknowledge, some noble exceptions to this sweeping accusation, but these are few and far between. In proof, so far, of what we have here alleged, we shall only call one witness, who knew more about the newspaper press of Scotland than any other man then alive, namely, the late Mr. William Tait of Edinburgh, who established the magazine of that name, and wrote to us as follows—

“ Edinburgh, 25th Nov., 1841.

“ My dear Mackenzie,

“ I have read the account of your *victory* with great interest. But such victories are ruinous, as I know by experience; that is, a certain number of them would ruin any one who is only moderately rich.

“ So your brethren don’t take up the case! Shame to them. You have acted nobly. Long ago, you know, I would have adverted to this remarkable case in the magazine, but you would not then let me. Shall I do so now? Really you ought to be supported warmly by the public, and I trust you will.

“ Yours ever,

(Signed) “ WM. TAIT.”

Spite, however, of all difficulties and dangers, we continued to write some special articles on flagrant swindling and insurance matters, etc., bringing them occasionally under the eye and observation of members of Her Majesty’s Government; and at last—though we did not receive the value of one single sixpence for doing so—we had the great satisfaction to find that the Government became sensibly alive to not a few of the original suggestions we had made for the protection of the public, and accordingly an Act of the Legislature was passed on 5th September, 1844, viz., the Act of the 7th and 8th Queen Victoria, Cap. 110; as a means of preventing the formation of bubble companies, and of regulating the action of those honourably and legitimately instituted. One of the clauses in that Act has the following—“ And forasmuch as great injury has been inflicted upon the public by insurance companies falsely pretending to be patronised, or directed, or managed by eminent or opulent persons, Now, for the purpose of preventing such false pretences—Be it enacted, &c.”

It is proper to remark that in calling the attention of the Government to these matters, we were powerfully

backed by Mr. John Dennistoun, then M.P. for this city ; the late Lord William Bentinck ; Mr. Joseph Hume, M.P. ; Mr. Wallace of Kelly, M.P. for Greenock ; Mr. Archibald Hastie, M.P. for Paisley ; Mr. Lockhart, M.P. for the County of Lanark ; and particularly by Mr. Charles Cowan, then one of the Members of Parliament for the city of Edinburgh, who, whether in parliament or out of it, has taken a deep interest in insurance matters. It is not too much for us to assert personally that these services and exertions of ours, whether they may be deemed now of any importance or not, had the most blessed effect in many instances, for they closed the doors against all insurance frauds or deceptions, and deceiving companies, dozens of which were again rearing their heads ; and enabled the public to get the most correct, authentic, and reliable information from the Registrar-General, the Government officer appointed at Somerset House, respecting every insurance office in the United Kingdom ; and there is an admirable publication in London, entitled the "*Insurance and Post-Office Magazine*," which regularly publishes the review of them. Therefore, we have written enough, we hope, to prove that we have not been idle or timid at any time in the public service, but rather active and resolute, not merely in the above, but in many other instances of great public moment, whether damaging to ourselves or not.

It is perhaps amusing to add, respecting this notorious Middlesex Assurance Company, that the once famed Mr. Baron Nicholson of London, who for many years presided over what was called "the Judge and Jury Society," of London, and got up many performances to mark "the follies of the day," which, with his company of learned civilians, he enacted in his Coal-Hole Tavern in the

Strand, as he called it, which tickled the fancy and raised the laughter of many cockneys, though really we cannot say much in its favour. The Baron came specially to Glasgow to gather from us all the information with which we were possessed about the Middlesex gang. He was mightily amused with some of it, and set to work, and actually got up a melo-drama on the subject, which was performed in his theatre in London, for upwards of one hundred and thirty nights to crowded audiences, with judges and jury, male and female annuitants seeking "immediate benefits," Bow Street police officers in quest of the directors, enraged policy-holders tricked out of their money, printers and printers' devils, and what not. In short, this farce or melo-drama, got up by Baron Nicholson, had such an amusing, if not salutary effect in London amongst the cockneys thereof, that when any new, dubious, or suspicious, or swindling project was projected, it instantly got the name of the "Diddlesex Dodge," or another "Diddlesex *do*," and was effectually crushed, more by that name than anything else. That was the appropriate name we originally gave to it; but like many other authors we cannot say that we derived much benefit from it. Although we are pleased to own, somewhat with a smile, that Baron Nicholson, so elated with the success of his performance in the Strand, actually wrote and offered us a pretty handsome sum of money if we would only come to London and take the chair on the bench beside him in the Strand, for two successive nights; but that offer, though couched in handsome and respectful terms, we, of course, scouted; while now we may bitterly lament that another offer, made to us about the same time from a more superior quarter of the world, was not embraced by

us, which would certainly have led to comfort and affluence, bringing to us at this moment, not less than £5,000 sterling per annum. But 'tis of no use to repine at these things. We only trust that we are not annoying our readers by the recital of too many of them.

We could write, perhaps, many other much more interesting articles from true data and singular materials in our possession, but we are almost inclined to throw them into the fire, with the exclamation—

“Superfluous lags the veteran on the stage!”

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## CHAPTER XLIX.

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### THE CUNNING AND INGENUITY OF A CELT.

WE have already given a remarkable case of intended false swearing on the part of a once respectable member of the Faculty of Procurators in Glasgow, who was ignominiously defeated.

The following one beats it hollow. We have it on the authority of a most esteemed gentleman connected with the law in Glasgow.

Two Highlanders, who once lived on the best of terms, and great graziers of their day—sending cattle to the Carman Fair and other places—quarrelled about money matters of no inconsiderable amount. The one alleged that he had lent the other some £500 sterling, the latter thought fit to deny the same ; and made assertions that for ewes and lambs the other was greatly in his debt. But an action was raised before the Sheriff of Argyleshire, and carried into the Court of Session, “for the borrowed money.” The *proof* of it could only be established by the defender’s writ or oath. There was no scrap of written evidence from him to that effect, and therefore the fact was referred to his oath, the pursuer never doubting that when the oath came to be administered, the defender

would break down, and confess the truth that he had borrowed the money as libelled.

A commission was accordingly granted to take his *oath*. He professed to the Commissioner that he could not understand a word of English ; but he would take the oath in the *Gaelic* language. An interpreter was got, and he took the oath accordingly. On being specially interrogated, he deponed in the *Gaelic* language, which we can't give, but it was interpreted thus—"Depones and solemnly swears that he never received one penny from the pursuer since the defender was rocked in his mother's cradle." The Commissioner and the court construed this to be a direct negative of the pursuer's claim, and assailed the defender, because the alleged lent money was so lent to him when he was of course in his manhood estate, whereas, he swore that since he was rocked in his mother's cradle (when of course he was a mere infant), he had never received one penny from him.

What is the fact ? The rascal of a defender, knowing that it was coming to his *oath*, and dreading the consequences, but devising a way to escape in the *Highland* tongue, got himself crumpled up in his mother's cradle, and to ease his conscience, or save his purse, he truly enough swore in the way stated, that he had never received one penny from the pursuer, yet barring the cradle, he must have acknowledged the debt, and been decreeted for it accordingly.

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#### HARD SWEARING IN GLASGOW.

WE happened to be in the Justice of Peace Court in Glasgow some forty years ago, when Mr. William Vary was Clerk of the Peace, and ruled it. An old dignified

and most respectable merchant of the city, viz., Francis Garden, Esq., was the presiding judge in the court that day. He was the father of Mr. Alexander Garden, who afterwards became Lord Provost of the city, and was partner in the house of Henry Monteith & Co. Old Mr. Francis Garden was also the father of Mr. Hamilton Garden, who formed the plans of Blythswood Square, and built the first house or houses in that now most fashionable part of the city; but he was obliged to fly from the country for forgery, greatly to the consternation and amazement of the whole inhabitants of the city. Before that disastrous event, old Mr. Francis Garden took an active part in many matters connected with the city, and he was chosen as an arbiter in some cases of public importance. He had an admirable way of expressing himself—short, pithy, and concise; and it was a treat to hear him sometimes giving his reasons for his decisions in the Justice of Peace Court. On the occasion referred to, an auctioneer of the city of the name of Love was sued at the instance of three different pursuers. The first was for the price of some *bricks*, which he denied, and after a long squabble in the court, the pursuer said he would put his claim to the oath of the defender, who, after considerable hesitation, took the oath and deponed *negative*. He was consequently assoilzied. The *second* case was soon called against him, and it was left likewise to his oath, for the pursuer had no other remedy. He deponed with some boldness in this case, but it being *negative*, he was, of course, again assoilzied. The *third* case was called—it was for the price of a firkin of *butter* sent to him from Ireland. He declared that he never ordered or received it, but he made so many equivocations, that the Justice had some doubts of the honesty of his

defence. Here again the indignant pursuer said he would put it to the defender's oath. He held up his hand and took the oath, and the Justice himself began to question him pretty tightly, but he denied the butter, and the court had no other alternative but to assoilzie him accordingly. In doing which, the old shrewd Justice addressed him thus—"Oh, Mr. Love, Mr. Love ! it's a pity you did not *swallow* the butter first, the *bricks* would have gone down your thrapple a great deal easier!"

## CONCLUSION:

Now have I come to the end of my allotted space; and as I intend to keep faith with my readers, so I here close these promised twenty numbers of my "Reminiscences" with the most sincere and grateful thanks for the kind, generous, and unprecedented reception they have already met with. Nor can I but feel proud at the criticisms they have received, not merely from the press of various hues, but from gentlemen of the highest position in society, who have kindly written to me on the subject; and I value this the more, because at an earlier period of my life I really stood opposed to some of their own views. But the generous heart, after due reflection, knoweth no enmity.

There is indeed something sad, yet pleasing, in the retrospect view of events long since past and gone. As the weary traveller pauses on his journey, and tries to look back on the long and diversified road he has passed, so the mind casts its mental organs of vision backwards and forwards, and scans some of the salient events which have happened or may yet come; and in spite of all attempts adequately to describe them, they somehow or other assume a distinctive form, and not a few of them stand out in bold relief, bringing memory to the test, and yielding emotions which can only speak for themselves.

I have often cherished the memorable words of the poet, but never with more warmth than now, when he says—

“Tis pleasing, through the loop-holes of retreat,  
To gaze on such a world!”

Yet, deeply sensible as I am of many imperfections in some of these "Reminiscences" in point of composition—for I have never aspired to inflated or highly tinselled language, I rather like to tell my story or narrate the facts appertaining to it, in a plain, easy manner, without affectation of any sort; while, at the same time, I can safely assert that except some few errors of the press—which will happen with any book—my narration of facts are substantially true in every important particular; and, on the whole, they may at least help to show the present generation some curious and interesting proceedings which have passed over our head in this city long ago, never to return again.

I am not sorry, but rather pleased to add, that my store of Reminiscences is not yet finally exhausted. I have some other things to narrate not yet told by any chronicler that I am aware of. Indeed, I hold in my own possession some queer and remarkable materials pertinent to Glasgow, worthy, I humbly think, of being published in this form. In particular, I have notes regarding a few remarkable characters in Glasgow of the olden time, yet to decipher or resuscitate in a cluster of thorns as well as roses, which will refresh the memory of some who are still old enough to remember them, and tickle the fancy of the younger branch of my readers who never heard of them before. Perhaps it would be a pity if these were lost by my own demise; for some of them are interwoven with an interesting portion of Glasgow history, never yet published in a tangible form. I am encouraged to proceed with this work by parties who have made the urgent request to me, and whom I am bound in every view unfeignedly to respect. Indeed, my enterprising publisher, Mr. Tweed, who brought out the last edition of "Glasgow

and its Clubs," by Dr. Strang, the departed City Chamberlain, assures me that he himself has been favoured with many fresh applications made to him on the subject; and I therefore intend, after drawing a mouthful of fresh air, to recommence my labours on Saturday, the 6th of October next, with ten successive numbers, pledging myself to do so, if spared, with all the fidelity in my power; and after I am away to another world, these scrolls or crude sketches, I trust, will do no detriment to any of the future scribes of Glasgow.

I remark, with considerable reluctance, that my indefatigable Publisher, Mr. Tweed, has insisted on getting my photograph taken, with my signature attached to it. This I at first peremptorily refused to do; but a reference being made to impartial umpires, they have decided against me, and in favour of it—therefore I am obliged to yield to their decision, let none say with any vain glory on my part. Whether the likeness be passable or not, it is not for me to say; but the hand-writing is not shaky or tremulous for an old person who has written thousands of pages in his day and generation, and who once more, in this place, gratefully and respectfully subscribes himself

#### THE OLD FAITHFUL AUTHOR,

GLASGOW, *August, 1866.*

PETER MACKENZIE.

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#### MEMORANDUM.

THE author is glad to take the opportunity to state that Mr. Jonathan Allwood, referred to in one of the early numbers, returned to Glasgow, and died here in comfortable circumstances a few years ago.

Richmond, the spy, died in London the other day, since the sketch about him was written and published.

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